United Nations S/2017/925

Security Council

Distr.: General
6 November 2017

Original: English

Letter dated 2 November 2017 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

On behalf of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, and in accordance with paragraph 40 of Security Council resolution 2317 (2016), I have the honour to transmit herewith the report on Eritrea of the Monitoring Group on Somalia and Eritrea.

In this connection, the Committee would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Kairat **Umarov**
Chair
Security Council Committee pursuant to resolutions 751 (1992)
and 1907 (2009) concerning Somalia and Eritrea

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Letter dated 2 November 2017 from the members of the Monitoring Group on Somalia and Eritrea addressed to the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

In accordance with paragraph 40 of Security Council resolution 2317 (2016), we have the honour to transmit herewith the report on Eritrea of the Monitoring Group on Somalia and Eritrea.

(*Signed*) James **Smith**
Coordinator
Monitoring Group on Somalia and Eritrea

(*Signed*) Jay **Bahadur**
Armed groups expert

(*Signed*) Charles **Cater**
Natural resources expert

(*Signed*) Déirdre **Clancy**
Humanitarian expert

(*Signed*) Tapani **Holopainen**
Finance expert

(*Signed*) Nazanine **Moshiri**
Arms expert

(*Signed*) Richard **Zabot**
Arms expert

Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2317 (2016): Eritrea

Summary

For the fifth consecutive mandate, the Monitoring Group on Somalia and Eritrea was not permitted to visit Eritrea to meet with representatives of the Government or conduct investigations. Despite the call by the Security Council, in resolution 2317 (2016), for a review of sanctions on Eritrea and efforts by the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea to encourage the Government of Eritrea to engage constructively with both the Group and the Committee, the stalemate persists.

Throughout its current mandate, the Monitoring Group investigated allegations by a neighbouring Member State of support provided by Eritrea to Al-Shabaab in Somalia. Despite receiving some corroborating information from another regional Member State and regional administrations in Somalia, the Group has not been able to substantiate the allegations. As such, the Group has, for its fourth consecutive mandate, not found conclusive evidence of support provided by Eritrea to Al-Shabaab.

The Monitoring Group has also not found evidence of large shipments of weapons or ammunition to or from Eritrea in violation of the two-way arms embargo established pursuant to paragraphs 5 and 6 of resolution 1907 (2009).

The Monitoring Group found evidence of external support, in the form of both training and technical equipment, provided to or intended for, the Eritrean military. The Group also found evidence indicating the potential military use of rotary-blade aircraft overhauled by Member States in 2016. In the light of the measures taken by the Government of Eritrea to conceal the military associations of the aircraft, however, the Group is not implying that authorities of these Member States violated the arms embargo.

The Monitoring Group maintains that the establishment and continuing expansion of a military base of the United Arab Emirates near the port city of Assab, which involves the transfer of military materiel to and exchange of military assistance with Eritrea, constitutes a violation of the arms embargo.

Eritrea continued to provide support to armed groups intent on destabilizing Ethiopia and Djibouti, including the Benishangul People's Liberation Movement, the Front for the Restoration of Unity and Democracy (FRUD-Armé), Patriotic Ginbot Sebat (PG7) and the Tigray People's Democratic Movement. While none of these groups poses a critical threat to either Djibouti or Ethiopia, the support of Eritrea for them continues to generate insecurity in the region and undermines the normalization of relations between regional Member States.

The impact of the Gulf crisis reverberated throughout the Horn of Africa and affected developments during the mandate, particularly those relating to the implementation of resolution 1862 (2009). On 13 June, the withdrawal of the observer forces deployed by Qatar on the Djibouti side of the Djibouti-Eritrea border led to an escalation of tensions between Djibouti and Eritrea. Evidence available to the Monitoring Group indicates ongoing activities on the Eritrean side of the border at Ras Doumeira.

The lack of clarity that has persisted on the mediation role of Qatar within the framework of the agreement of 6 June 2010 created new uncertainties for the implementation of resolution 1862 (2009). Brief progress in 2016 on the transfer of remaining prisoners of war from Eritrea to Djibouti has also stalled.

Since the adoption of resolution 2023 (2011), the Monitoring Group has documented a chronic lack of transparency in the mining sector, which has continued during the current mandate. The limited transparency that exists in the mining sector has been facilitated by the reporting of foreign corporations. The Group is consequently able to report that Eritrea is obtaining revenue from its mining sector, but is unable to prove that such funds are being used to finance specific violations of sanctions.

Given that the Monitoring Group has been unable to find conclusive evidence of Eritrean support for Al-Shabaab in Somalia for four consecutive mandates, the Group recommends that the Security Council consider disassociating the sanction regimes for Eritrea and Somalia. The Group recommends establishing a separate Security Council sanctions committee and a separate monitoring group on Eritrea.

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* The annexes are being circulated in the language of submission only and without formal editing.

I. Introduction

A. Mandate

1. The mandate of the Monitoring Group on Somalia and Eritrea, as set out in paragraph 13 of Security Council resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), was renewed in paragraph 38 of resolution 2317 (2016).

2. Pursuant to paragraph 40 of resolution 2317 (2016) and paragraph 13 (l) of resolution 2060 (2012), the Monitoring Group provided the Security Council, through the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, with a midterm update on 21 April 2017. The Group also submitted monthly progress reports to the Committee throughout its mandate.

3. With specific reference to Eritrea, the mandate of the Monitoring Group includes the following:

(a) To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes (resolution 2060 (2012), para. 13 (e));

(b) To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes (ibid., para. 13 (f));

(c) To monitor the implementation of the Council's call upon Eritrea to show transparency in its public finances, including through cooperation with the Monitoring Group, in order to demonstrate that the proceeds of mining activities are not being used to violate relevant resolutions (resolution 2023 (2011), paras. 12 and 16);

(d) To monitor the implementation of the Council's demand that all Member States, in particular Eritrea, cease arming, training and equipping armed groups and their members, including Harakat al-Shabaab al-Mujaahidiin (Al-Shabaab), that aim to destabilize the region or incite violence and civil strife in Djibouti (resolution 1907 (2009), paras. 16 and 19).

4. The mandate of the Monitoring Group is also derived from the listing criteria established in paragraph 15 of resolution 1907 (2009). This includes monitoring and reporting regarding individuals and entities: (a) violating the arms embargo; (b) providing support from Eritrea to armed opposition groups that aim to destabilize the region; (c) obstructing implementation of resolution 1862 (2009) concerning Djibouti; (d) harbouring, financing, facilitating, supporting, organizing, training, or inciting individuals or groups to perpetrate acts of violence or terrorist acts against other States or their citizens in the region; and (e) obstructing the investigations or work of the Group.

5. Another component of the mandate concerns monitoring compliance with the travel ban and asset freeze established under paragraphs 10 and 13 of resolution 1907 (2009). However, there are no individuals or entities on the sanctions list established and maintained pursuant to Security Council resolutions 751 (1992) and 1907 (2009).[1]

6. In the course of the investigations, members of the Monitoring Group travelled to Bahrain, Belgium, Côte d'Ivoire, Djibouti, Ethiopia, France, India, Iran (Islamic

[1] Available from www.un.org/sc/suborg/en/sanctions/751/materials.

Republic of), Kuwait, Qatar, Somalia, South Africa, Spain, Sri Lanka, the Sudan, Turkey, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

7. The Monitoring Group was based in Nairobi and comprised the following experts: James Smith (coordinator), Jay Bahadur (armed groups), Charles Cater (natural resources), Deirdre Clancy (humanitarian), Tapani Holopainen (finance), Nazanine Moshiri (arms) and Richard Zabot (arms).

B. Methodology

8. The evidentiary standards and verification processes outlined in the previous reports of the Monitoring Group apply to the work conducted during the mandate under review.

9. The methodology used for the present report is as follows:

(a) Collecting information on events and topics from multiple sources, where possible;

(b) Collecting information from sources with first-hand knowledge of events, where possible;

(c) Identifying consistency in patterns of information and comparing existing knowledge with new information and emerging trends;

(d) Continuously factoring in the expertise and judgment of the relevant expert of the Monitoring Group and the collective assessment of the Group with regard to the credibility of information and the reliability of sources;

(e) Obtaining physical, photographic, audio, video and/or documentary evidence in support of the information collected;

(f) Analysing satellite imagery, where applicable.

10. In its investigations, the Monitoring Group conducted more than 120 meetings with a broad range of sources, including Member States, United Nations agencies, non-governmental organizations, the Eritrean diaspora, academics, journalists, the private sector, former members of armed groups and former officials of the Government of Eritrea. From these sources, the Group received witness testimony, photographic evidence and both confidential and open-source documentation.

11. The persistent refusal of Eritrea to allow the Monitoring Group to enter the country continues to impede the Group's investigations.

12. Once again, and in conformity with past guidance provided by the Committee, the Monitoring Group endeavoured to include as much of the testimony and evidence as possible in its final report. However, General Assembly resolutions on the control and limitation of documentation, in particular resolutions 52/214, 53/208 and 59/265, necessitated the use of annexes, preventing some of the evidence from being translated. In addition, regulations exclude the insertion of maps, photographs and charts in the main report, and therefore these are also presented in the annexes.

13. In accordance with the Secretary-General's bulletin on information sensitivity, classification and handling (ST/SGB/2007/6), the Monitoring Group has submitted to the Committee, together with the present report, several strictly confidential annexes containing information whose disclosure may be detrimental to the proper functioning of the United Nations or to the welfare and safety of its staff or third parties or may violate the Organization's legal obligations. Those annexes will not be issued as a document of the Security Council.

II. Arms embargo

A. Flow of military equipment to or through Eritrea

Interdiction of shipment of blank-firing pistols in Kismayo, Somalia

14. On 23 January 2017, the Interim Jubba Administration and the African Union Mission in Somalia seized approximately 25,000 blank-firing pistols on board the vessel *SJ African* (International Maritime Organization (IMO) No. 8014954), which was docked in Kismayo Port in southern Somalia. On 14 February, the Monitoring Group inspected the container in Kismayo, analysed the consignment and interviewed the vessel's crew. Email correspondence, port receipts and other documentation reviewed by the Group showed that the *SJ African* had docked at the port of Massawa, Eritrea, from 4 to 7 January 2016, with the consignment of blank-firing pistols on board (see annex 1). Red Sea Trading Corporation, an Eritrean State-owned import-export company based in Asmara was identified as the final consignee of the container.[2]

15. Given the ease with which blank-firing pistols can be converted to fire live ammunition (see annex 1.1, strictly confidential), the Monitoring Group considers the consignment to fall within the parameters of prohibited military materiel.[3] The consignment entered and remained docked in Eritrean territorial waters, with the consignee as Red Sea Trading Corporation in Asmara, thereby constituting a violation of the arms embargo on Eritrea.

16. Voltran Av Silahlari İns San. ve Tic. Ltd Sti., a company based in Turkey, confirmed that it had manufactured and sold the blank-firing pistols (see annex 1).[4]

17. The Monitoring Group interviewed the owner of the consignment, a Sudanese national, who informed the Group that his legal name is Mohamed Ibrahim Ahmed, even though it appears as "Ahmet Hassan" on the packing list.[5] Ahmed claimed that although the consignment had arrived at Massawa, it was intended to be transported by land to the Sudan for onward sale to retailers. According to Ahmed, he chose to offload the consignment at Massawa Port to avoid the greater expense and more complex import procedures of Port Sudan.[6] The Group has been unable to corroborate that the intended destination of the blank-firing pistols was the Sudan.[7] Both the owners of the company Voltran and the consignee have suggested that the

[2] In its previous reports, the Monitoring Group has identified the Red Sea Trading Corporation as a company owned by the People's Front for Democracy and Justice and operating as the primary procurement vehicle for the Government. The Group also documented the role of the company in trafficking weapons from the eastern part of the Sudan to Eritrea. See S/2015/802, paras. 39–40; S/2014/727, paras. 31–33; and S/2011/433, paras. 378 and 414.

[3] Meeting with Matt Lewis, Director of Arquebus Solutions Ltd, Coventry, United Kingdom of Great Britain and Northern Ireland, 16 May 2016. There are several other circumstances in which blank-firing pistols have been seized by authorities in Somalia and other countries subject to United Nations arms embargoes (see annex 1).

[4] Meeting with the owners of Voltran Av Silahlari İns San. ve Tic. Ltd Sti. in Istanbul, Turkey, 22 June 2017.

[5] Telephone interview with Mohamed Ibrahim Ahmed, 22 June 2017. The owners of Voltran showed the Monitoring Group the passport details of Mohamed Ibrahim Ahmed and noted the discrepancy in names, which may have been due to a clerical error.

[6] Telephone interview with Mohamed Ibrahim Ahmed, 22 June 2017. Red Sea Trading Corporation appears on the cargo manifest, it was alleged, as it represents the unique operator to deal with unloading operations in Massawa. Ahmed also explained that the consignment was not offloaded because he was unable to be present in Massawa from 4 to 7 January 2016.

[7] The Monitoring Group cannot rule out that the consignment was intended to be distributed in Eritrea or Somalia, even though the Group has found no evidence of an established market for blank-firing pistols in either country.

Sudan represents a large market for dealers of blank-firing weapons.[8] The Group has confirmed the existence of multiple blank-firing weapons dealerships in Khartoum and elsewhere in the Sudan.[9] However, the Government of the Sudan imposes restrictions on the number of blank-firing weapons that can be imported into the country and strict licensing laws on importers, which may explain the intended use of Massawa Port as a transit point for the consignment.[10]

Interdiction of military radios from the Democratic People's Republic of Korea

18. In late 2016, the Panel of Experts established pursuant to resolution 1874 (2009), which supports the Security Council Committee established pursuant to resolution 1718 (2006), informed the Monitoring Group of its investigation into a shipment of military encrypted radios originating from the Democratic People's Republic of Korea and destined for an Asmara-based company, Eritech Computer Assembly & Communication Technology PLC (see annex 2).

19. The consignment consisted of 45 boxes of military-grade communications equipment, including high-frequency radios, crypto-speaker microphones and global positioning satellite (GPS) and high-frequency antennas and cables. Several boxes and articles bore the label of a Malaysia-based manufacturer, Global Communications Co. (Glocom), and matched items advertised by Glocom on its now defunct website.[11] According to the Panel of Experts, Glocom is a front company for Pan Systems Pyongyang, a company based in the Democratic People's Republic of Korea.

20. The Panel of Experts concluded that, given the involvement of the Democratic People's Republic of Korea in the manufacture and shipment of the equipment, the consignment constituted a violation of the arms embargo established pursuant to paragraph 9 of resolution 1874 (2009) (see S/2017/150, paras. 72–87). Considering that the shipment consisted of military equipment bound for Eritrea, the Monitoring Group determines that it further constitutes a violation of the arms embargo on Eritrea established pursuant to paragraph 5 of resolution 1907 (2009). The arms embargoes on the Democratic People's Republic of Korea and Eritrea are both two-way, covering imports and exports.

21. According to reports received by the Monitoring Group, Eritech Computer Assembly & Communication Technology is based at the Asha Golgol Military Technical Centre, situated approximately 10 km south-west of Asmara International Airport. In its report for 2013, the Group identified a facility at Asha Golgol "operated by the Eritrean Defence Forces that serves as a central workshop for the production, modification and repair of civilian and military and paramilitary equipment" (S/2013/440, para. 82). A compound within the Asha Golgol facility referred to as "E-tech" is identified in annex 2 of that report.

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[8] Meeting with the owners of Voltran in Istanbul, 22 June 2017. Telephone interview with Mohamed Ibrahim Ahmed, 22 June 2017. Also confirmed in a telephone interview with blank-firing arms trader in Khartoum, 30 June 2017.

[9] The wholesale purchase price of each blank-firing pistol is $9. According to an arms trader in Khartoum, they can be sold locally for $130-$150, or $200 if they have been converted to fire live ammunition. The same trader told the Monitoring Group that he sells approximately 1,500 blank-firing arms every year. Telephone interviews, 30 June and 11 September 2017.

[10] According to a blank-firing arms trader from Khartoum, without a licence to import blank-firing pistols into the Sudan, the container would have to be transported illegally across the land border between Eritrea and the Sudan.

[11] The Glocom website was shut down shortly after the Panel of Experts sent inquiries to Glocom towards the end of 2016. Glocom has subsequently launched a new website, available from https://glocom-corp.com (accessed 24 September 2017).

B. Flow of military equipment from Eritrea

Allegations of shipments of weapons to Al-Shabaab in Somalia

22. On 8 November 2016, shortly after the submission of the Monitoring Group's final reports for 2016 on Somalia and Eritrea (S/2016/919 and S/2016/920, respectively), a letter from the Permanent Mission of the Republic of Djibouti (S/AC.29/2016/NOTE.70) was addressed to the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009). Attached to the letter was a report prepared by Djiboutian authorities stating that, on 15 October 2016, a maritime shipment of arms and ammunition, including AK-pattern rifles, mortars, rocket-propelled grenade launchers and PK machine guns, was sent from Eritrea to Somalia, destined for Al-Shabaab in Gal Hareri in the Galgadud region.[12]

23. On 9 November 2016, the Monitoring Group wrote to the Permanent Mission of Djibouti, requesting additional information on the alleged shipment, including details on the vessel, its port of departure and the individuals involved. On 8 December 2016, the Group received a response stating that Mohamed Osman Mohamed "Gafanje" was the owner of the vessel involved and that the shipment had been received by Farhan Kahiye on behalf of Aboubaker Mohamed Ali, the "Chief of Defence" for Al-Shabaab.[13]

24. Following a request by the Monitoring Group to discuss the shipment of weapons with Djiboutian authorities in person, the Group visited Djibouti from 20 to 23 February 2017. In a meeting with representatives of the Government of Djibouti on 21 February, the Group was informed that pertinent information relating to the shipment of weapons would be provided. The experts, however, left Djibouti having not received any further information from government interlocutors on the matter. On 4 April 2017, the Group conducted a follow-up mission to Djibouti. Despite further requests, the Group received no more information from the Government of Djibouti on the alleged shipment.

25. On 3 March 2017, during a mission to Addis Ababa, Ethiopian authorities provided the Monitoring Group with two reports, allegedly provided by a single source "within Al-Shabaab" and indicating that "Al-Shabaab is importing ammunitions by Volvo boats from Asmara to Hobyo in central regions of Somalia" and that "Al-Shabaab and Eritrea agreed to have representatives in their country to connect between the two parties to facilitate supports like providing military trainings to Al-Shabaab and other terrorist groups like ONLF [Ogaden National Liberation Front]".[14] The vessel carrying ammunition for AK-pattern rifles and PK machine guns is alleged to have docked at Hobyo on or around 15 December 2016. Mohamed "Gafanje" is described as facilitating the import of the ammunition for Al-Shabaab. The report further states that "Gafanje" had also facilitated the import of ammunition in November, which had been transported overland by three trucks from Harardhere in the Mudug region to Gal Hareri in the Galgadud region, on behalf of Farhan Kahiye.

26. On 31 March 2017, the Monitoring Group sent correspondence to the Interim Galmudug Administration in Somalia requesting further information on Mohamed

[12] Report on file with the Secretariat.

[13] The criminal activities of Mohamed Osman Mohamed "Gafanje", a former pirate kingpin, have been detailed by the Monitoring Group in its previous reports (S/2013/413, S/2014/726 and S/2015/801). In its report for 2016 on Somalia (S/2016/919, annex 1.4), the Group reported claims made by multiple sources that "Gafanje" had been responsible for arranging dhow transport on behalf of Al-Shabaab, though it had been unable to substantiate the claims. The Group is not familiar with either Farhan Kahiye or Aboubaker Mohamed Ali.

[14] Reports on file with the Secretariat.

Osman Mohamed "Gafanje", Farhan Kahiye and Aboubaker Mohamed Ali. In response, on 11 April 2017, the Director General of the Galmudug Presidency, Mohamed Abdi Adam, claimed that regional intelligence and security officers had confirmed that Al-Shabaab had received a shipment of weapons with the help of "Gafanje" and that Farhan Kahiye was well known to them, although his last known whereabouts were in Barawe in the Lower Shabelle region.

27. On 15 June 2017, in Djibouti, the Monitoring Group was provided with a further report by Djiboutian authorities, claiming intelligence that two Eritrean officers, General Te'ame and Colonel Moussa,[15] had departed for Harardhere, Somalia, via Yemen, at the beginning of June and were due to return in July 2017.[16] According to the report, the two officers were greeted by three leaders of Al-Shabaab and subsequently visited Al-Shabaab training camps in Hiran, the Lower Shabelle region and the Middle Shabelle region, and promised weapons to the armed group.

28. According to the same report, on 10 June 2017, the two officers also visited a training camp hosting 500 Ogaden National Liberation Front (ONLF) and Oromo Liberation Front (OLF) fighters in the Hiran region. The Monitoring Group sent correspondence to the Federal Government of Somalia and to the Interim HirShabelle Administration, seeking confirmation of the presence of Eritrean officers in Somalia and the presence of ONLF or OLF training camps in Somalia. On 18 August 2017, the Group received a response from the Permanent Mission of Somalia to the United Nations claiming that the Federal Government was not aware of the presence of ONLF or OLF "fighters or camps in Somalia".[17] At the time of writing, the Group had not received a response from the Interim HirShabelle Administration.

29. On 6 November 2016, the Government of Eritrea released a press statement via the website of the Ministry of Information (see www.shabait.com), in which it categorically denied sending arms to Somalia.[18] The Permanent Mission of Eritrea reiterated its denial of any engagement with Al-Shabaab and stated its support for the newly elected federal administration in Somalia during a videoconference with the Monitoring Group, held under the auspices of the Chair of the Committee on 11 September 2017.

30. Despite undertaking several investigative missions, engaging with authorities from regional Member States and engaging with sources in Somalia, during the current mandate the Monitoring Group has not been able to independently corroborate the information provided to it regarding shipments of weapons and ammunition from Eritrea to Al-Shabaab.

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[15] The Monitoring Group has reported previously on the activities of Brigadier General Te'ame Goitom Kinfu (also known as Wedi Meqelle) in relation to support for armed groups in, and violations of the arms embargo on, Somalia (S/2008/769, para. 116; and S/2010/91, para. 60). He has been referred to as the chief of Eritrean external intelligence operations in the Horn of Africa (S/2011/433, para. 262 (a)). The Group described Colonel Tewelde Habte Negash (also known as "Musa", "Amanuel Kidane" and "Wedi Kidane") as working closely with Te'ame Goitom Kinfu and being responsible for training of and support to Somali armed opposition groups (S/2011/433, para. 262 (c)). Colonel Negash "Mussa" was subsequently described as a regional intelligence officer (S/2014/727, para. 60).

[16] Report on file with the Secretariat.

[17] Letter dated 18 August 2017 from the Federal Government of Somalia to the Monitoring Group. On 28 August 2017, however, regional media sources announced that the Federal Government had handed a senior member of ONLF, Abidkarim Sheikh Muse "Qalbi Dagah", over to Ethiopian authorities. See, for example, Arefayné Fantahun, "Top ONLF leader handed down to Ethiopia", *Ethiopia Observer*, 28 August 2017. Available from www.ethiopiaobserver.com/2017/08/top-onlf-leader-handed-down-to-ethiopia/.

[18] Ministry of Information of Eritrea, "Accusations Against Eritrea: Pure Fabrication and Outright Lies", press release, 6 November 2016. Available from www.shabait.com/editorial/press-release/7483-press-statement.

C. Support provided to the Eritrean armed forces

Zlín Avion pilot training and support in Asmara

31. On the basis of interviews with Eritrean defectors, supported by documentary and photographic evidence, the Monitoring Group has determined that Zlín Avion Service s.r.o., a company based in Otrokovice, Czechia, supplied aircraft parts and training to the Eritrean air force, in violation of the arms embargo on Eritrea. At the time of writing, the Eritrean air force possessed at least four Zlín model aircraft, which were used for training combat pilots.

32. The Monitoring Group has obtained photographs showing that two Zlín Avion employees, Blahomir Smetana, a flight instructor, and Jiri Neubauer, also known as "Mr. George", a technician, were present in Asmara in May 2016. In one photograph, both individuals are shown posing with Major Isaias Berhane, commander of the Eritrean air force training squadron, and Yemane Abra, senior ground technician for the Eritrean air force (see annex 3, strictly confidential).

33. Certificates bearing the Zlín Avion logo and Smetana's signature (see annex 3, strictly confidential) attest that the company provided training on the operation of Zlín-143 and Zlín-242 aircraft to members of the Eritrean air force. In addition, eyewitnesses reported to the Monitoring Group that rotating groups of up to six Zlín Avion personnel were present in Asmara in late 2015 and in 2016 to provide parts and servicing to Zlín-143 and Zlín-242 aircraft belonging to the Eritrean air force.

34. Eritrean defectors interviewed by the Monitoring Group also reported that another Czech national, Richard Ponížil, was present in Asmara in April 2016, working as a test pilot for Zlín Avion, even though the business card Ponížil presented in Asmara identifies him as employed by Linak C&S s.r.o., a company based in Majetín, Czechia (see annex 3, strictly confidential). When contacted by the Group, Ponížil advised the Monitoring Group to address all inquiries on the matter directly to Zlín Avion.[19]

35. On 21 February 2017, in response to the official correspondence sent by the Monitoring Group, a representative of Zlín Avion denied that the company had ever entered into any contractual agreement with the Government of Eritrea or that its personnel had ever been present in the country.

Eritrean pilot and naval training in the United Arab Emirates

36. The Monitoring Group has gathered testimonies and reviewed corroborating evidence demonstrating that Eritrean air force cadets received training at the Khalifa Bin Zayed Air College and that Eritrean navy cadets received training at the Rashid Bin Saeed Al Maktoum Naval College, both in Abu Dhabi, between early 2012 and late 2015. Upon completion of the training, in December 2015, several cadets fled to a third country where they registered as refugees with the Office of the United Nations High Commissioner for Refugees (UNHCR).

37. Three of the Eritrean air force cadets and two of the navy cadets provided testimonies to the Monitoring Group during the present mandate.[20] They claimed to have been part of a class of 20 cadets sent to the United Arab Emirates to receive training, with six students sent to the Khalifa Bin Zayed Air College, seven sent to the Rashid Bin Saeed Al Maktoum Naval College and seven others sent for engineering training at various institutions. Before departing Eritrea, the cadets

[19] Telephone conversation with Richard Ponížil, 7 April 2017.

[20] Names and Office of the United Nations High Commissioner for Refugees (UNHCR) registration numbers on file with the Secretariat.

claimed to have received instructions from a senior official of the Government of Eritrea not to engage with Eritreans or Ethiopians in the United Arab Emirates and not to share details of their assignment with their classmates.

38. While at the Khalifa Bin Zayed Air College, the Eritrean air force cadets claimed to have received combat training in Grob G 115 and Pilatus PC-7 training aircraft. While at Rashid Bin Saeed Al Maktoum Naval College, the Eritrean navy cadets were taught the basics of vessel manoeuvring and navigation and also received combat training.

39. According to the cadets, the costs of their education, accommodation and general living expenses were covered by authorities of the United Arab Emirates. Annex 4 contains redacted copies of the United Arab Emirates residence visa of one of the cadets, sponsored by the Civil Affairs Department of the United Arab Emirates (figure 1), a certificate issued to a cadet by the Khalifa Bin Zayed Air College (figure 2) and a certificate issued to a cadet by the Rashid Bin Saeed Al Maktoum Naval College (figure 3).[21] An image published on both pro- and anti-Government open-source platforms in mid-2016 (and since removed from most) shows two navy and four air force cadets upon completion of their training holding an Eritrean flag in front of a Boeing C-17A Globemaster III of the United Arab Emirates air force (figure 4).

D. Overhaul of equipment potentially used by the Eritrean military[22]

Agusta Bell helicopter overhauls in Italy

40. During the mandate, the Monitoring Group confirmed that two Eritrean Agusta Bell AB 412 EP helicopters were overhauled, between November 2015 and April 2017, by an Italian helicopter service company, Airgreen S.R.L., based in Turin, Italy.

41. The two helicopters were shipped from Asmara to Turin on 2 November 2015 and were subsequently returned to Asmara following extensive servicing on 16 August 2016. Airgreen further provided spare parts and technical assistance for the helicopters beyond August 2016 and, at the time of writing, remained in a contractual agreement with the Government of Eritrea for continual servicing throughout a warranty period.

42. Airgreen had entered into the servicing agreement with Captain Yonas Tesfai Tedla, purportedly representing the Eritrean Ministry of Transport and Communications. However, the Monitoring Group has reviewed evidence and received multiple consistent reports that Yonas serves as Head of Finance and Procurement for the Eritrean air force, not as a representative of the Ministry of Transport.

43. On 4 July 2016, nine months after Airgreen had entered into a contract with the Ministry of Transport and Communications represented by Yonas, the Eritrean Ministry of Foreign Affairs wrote to the Embassy of Italy in Asmara explaining that five individuals, including Yonas "from the Eritrean Air Force" were "travelling to Rome, Italy on a work visit to the Eritrean Embassy in Rome" (see annex 5).

[21] Non-redacted copies on file with the Secretariat.

[22] In the course of the investigations, the issue of military-related equipment and materiel that may be used for both military and civilian purposes was raised on several occasions by various stakeholders. The Monitoring Group considers such equipment and materiel to include military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned (resolution 1907 (2009), para. 5) if it has intrinsic military utility or if evidence indicates that the actual end use has intrinsic military utility.

44. Multiple defectors from the Eritrean air force were shown copies of Yonas's passport photographs, which the Italian authorities had provided to the Monitoring Group. All positively identified Yonas and his position within the Eritrean air force at the time of their defections.

45. Airgreen was provided with documentation indicating that the helicopters registration certificates were issued by the Eritrean Civil Aviation Authority and that they were included in the Eritrean civil aircraft register. However, according to a defence analysis publication, the Eritrean air force is in possession of four Agusta Bell 412 helicopters used for logistical purposes by No. 7 Squadron.[23] Images of the helicopters taken upon arrival at the Airgreen servicing centre further indicate — given their apparent military colouration — that, at a minimum, they had been used previously for military purposes (see annex 5).

46. Following their overhaul, the helicopters were painted white. Satellite imagery of Asmara International Airport from 28 October 2016 shows the two helicopters parked on the military apron adjacent to the Eritrean air force base at the airport (see annex 5).

47. The Monitoring Group acknowledges the full cooperation extended by the Permanent Mission of Italy to the United Nations and Airgreen throughout the investigation.[24]

Mi-17 helicopter overhaul in the Russian Federation

48. Over the course of the mandate, the Monitoring Group confirmed that a Mi-171E helicopter was overhauled in April 2016 by Saint Petersburg Aviation Repair Company (SPARC), a company based in the Russian Federation. The helicopter was transported from Saint Petersburg, Russian Federation, to Asmara on 25 April. According to a defence analysis publication, the Eritrean air force is in possession of six Mi-17 helicopters used for logistical purposes by No. 3 Squadron.[25]

49. On 15 May 2017, the Monitoring Group wrote to the Permanent Mission of the Russian Federation to the United Nations seeking confirmation of the overhaul of the helicopter. On 8 June, the Mission responded, confirming that SPARC had carried out an overhaul of a Mi-17 helicopter, which had subsequently been transferred to the consignee, the Ministry of Transport and Communications of Eritrea.

50. The correspondence also confirmed that "[t]he consignee submitted an end-user certificate in which the authorized Eritrean body undertook not to use the helicopter after the overhaul 'in military actions both within the country and in contested or adjacent territories but to use it only for such transport purposes as delivery of food or people to the hard-to-get areas'." The correspondence further confirmed that the helicopter had originally been manufactured in 2003 for civilian purposes without elements of armament.

51. Following the overhaul, the helicopter was painted white. Satellite imagery of Asmara International Airport appears to show the helicopter parked on the military

[23] IHS Markit, "Jane's World Air Forces", 11 July 2017. Available from www.ihs.com/products/janes-world-air-forces.html (subscription required).

[24] In correspondence sent by the Permanent Mission of Italy to the United Nations to the Monitoring Group, it was stated that: "Italy brings to your attention that the transport of the two aircrafts had undergone customs inspections pursuant to national and European Union regulations, in turn compliant with the specific provisions of the UN Security Council's sanctions against Somalia and Eritrea. These inspections found that the helicopters were not included in the European Union military equipment list".

[25] IHS Markit, "Jane's World Air Forces", 11 July 2017. Available from www.ihs.com/products/janes-world-air-forces.html (subscription required).

apron adjacent to the Eritrean air force base at the airport (see annex 6). Satellite imagery further appears to show the same helicopter at the Sawa Military Academy in the Gash Barka region on 9 September 2016 (see annex 6).

52. The imagery of what appears to be the overhauled Mi-17 helicopter at a military base in western Eritrea lends weight to testimonies collected from defectors from the Eritrean air force that all helicopters operated by the Government of Eritrea are used — although not necessarily exclusively — by the Eritrean air force.

53. The Monitoring Group acknowledges the cooperation of the Permanent Mission of the Russian Federation to the United Nations during the investigation.

E. Expansion of the military base of the United Arab Emirates in Assab, Eritrea

54. In line with earlier reporting by the Monitoring Group (see S/2016/920, paras. 28–40), satellite imagery shows the further expansion of the military base of the United Arab Emirates in Assab, Eritrea, since November 2016 (see annex 7). Construction of a permanent port facility adjacent to the airport has continued. As at 14 September 2017, construction of the berthing area of the port, as well as on-land port facilities, appeared to be almost complete and multiple vessels were docked at the facilities.

55. Satellite imagery captured during the mandate further demonstrates the continuing presence of tanks and artillery of the United Arab Emirates on a site between the airport and the port facilities, including what appear to be multiple AMX Leclerc main battle tanks. Multiple fixed-wing and rotary-wing aircraft, for both combat and logistical purposes, appear to be operating from the airport, including several Dassault Mirage 2000 fighter aircraft.[26] The construction of permanent infrastructure and facilities around the airport apron and the runway to the south of the airport has also continued.

56. Most naval vessels bearing the flag of the United Arab Emirates operating from Assab port stopped transmitting automatic identification system (AIS) signals in mid-October 2016. This was probably in response to an attack on the hybrid catamaran HSV-2 *Swift I* (IMO: 9283928), owned by the United Arab Emirates, in the Bab al-Mandab strait on 1 October 2016 (see S/2017/81, annex 13). Satellite imagery shows increased activity at Assab port since late 2016, with a significantly greater presence of naval vessels, including multiple landing craft, fast attack craft and patrol craft (see annex 7).

57. The terms of the agreement between the Government of Eritrea and the United Arab Emirates remain unclear. However, in a press release on 14 December 2016, the Ministry of Information of Eritrea declared that Al-Mayadeen, an Arabic-language television station, had "wrongly assert[ed]" that the "United Arab Emirates has acquired a 30-year lease for a military base in the Port of Assab".[27] The statement described the claim as "wild and speculative".

[26] On 14 November 2016, *Jane's Defence Weekly*, a defence analysis publication, reported that the United Arab Emirates had deployed a "combat air group" to Assab, including nine Dassault Mirage 2000 jet fighters. See Jeremy Binnie, "UAE deploys fast jets to Eritrea", *Jane's Defence Weekly*, 14 November 2016. Available from www.janes.com/article/65455/uae-deploys-fast-jets-to-eritrea.

[27] Ministry of Information of Eritrea, "False Reporting by Al-Mayadeen", press statement, 14 December 2016. Available from www.shabait.com/news/local-news/23067-press-statement. The impugned programme had been broadcast from Beirut on the previous evening.

58. The Monitoring Group maintains that the current terms of the arms embargo do not allow for continuing military activities by Member States involving the transfer of military materiel, assistance, personnel and training to or from Eritrean territory, nor are they covered under the terms of possible exemptions thereto.

III. Support for armed groups in the region

59. In paragraph 16 of resolution 1907 (2009), the Security Council demanded that all Member States, in particular Eritrea, cease arming, training and equipping armed groups, including Al-Shabaab, that aimed to destabilize the region or incite violence and civil strife in Djibouti.

60. During the present mandate, the Monitoring Group found evidence that Eritrea was continuing to provide active support to Patriotic Ginbot Sebat (PG7) and the Front for the Restoration of Unity and Democracy (FRUD-Armé),[28] two groups engaged in armed violence in Ethiopia and Djibouti, and had tried to restrict the movements of the Benishangul People's Liberation Movement (BPLM) and the Tigray People's Democratic Movement (TPDM), two other anti-Ethiopian armed groups that had attempted to disband or partly disband.

61. The support provided by Eritrea to these armed groups, in violation of paragraph 16 of resolution 1907 (2009), included:

(a) Providing Eritrean territory for training of personnel in specialized camps, including making Eritrean military personnel available to conduct training and motivational activities;

(b) Availing of Eritrean territory for the launching of attacks on Djibouti and Ethiopia, in addition to military recruitment and provisioning campaigns;

(c) Supplying weapons and ammunition, and other military materiel (uniform elements, radios), logistics (transport and vehicles) and other support (food rations, medical care);

(d) Permitting weapons and ammunition to move in and out of Eritrea, also in violation of paragraph 6 of resolution 1907 (2009).

62. The Monitoring Group's investigations into these armed groups were largely based on interviews with former members, including former leaders, who had escaped or defected from Eritrea.

[28] The activities of FRUD-Armé, supported by Eritrea, also undermined the normalization of relations between Djibouti and Eritrea, thus obstructing the implementation of resolution 1862 (2009), in violation of paragraph 15 (c) of resolution 1907 (2009).

Anti-Eritrean armed groups

63. The Monitoring Group has reviewed reports of armed groups hosted in neighbouring countries intent on destabilizing Eritrea, including:

(a) Democratic Movement for the Liberation of Eritrean Kunama;

(b) Democratic Movement of Eritrean Saho;

(c) Eritrean National Salvation Front;

(d) Red Sea Afar Democratic Organization.[29]

64. Notwithstanding the existence of these groups — and evidence of their continuing presence in neighbouring Member States near the Eritrean border — the Monitoring Group is not aware of any attacks conducted by them in Eritrea. The Monitoring Group sought information on these groups from the Government of Eritrea, but did not receive a substantive response. The Group was also unable to visit Eritrea, where it may have been possible to interview former members of the groups.

A. Patriotic Ginbot Sebat[30]

65. The Monitoring Group first provided information on the anti-Ethiopian armed group Ginbot Sebat in its report for 2014 (S/2014/727, paras. 78–86), followed by updates in 2015 and 2016 (S/2015/802, paras. 58 and 59, and S/2016/920, paras. 61-70, respectively). In its report for 2016, the Group noted that the group had renamed itself Arbegnoch Ginbot Sebat, or Patriotic Ginbot Sebat (PG7), following its merger with the Ethiopian People's Patriotic Front in January 2015.

66. The interviews conducted by the Monitoring Group with defectors from and detained former members of PG7, the analysis of captured PG7 weaponry, the analysis of satellite imagery and the analysis of video footage shared by a former senior member of PG7 who defected to Ethiopia in mid-2017 furnished compelling evidence that the Government of Eritrea is continuing to provide significant material and logistical support to the group. The Monitoring Group confirmed the existence and location of PG7 training camps and other installations in Eritrea. The most prominent PG7 camp remains within the greater Harena training camp, east of the town of Golij in the Gash Barka region (see annex 8).

Incursion into Ethiopia in October and November 2016

67. In late October and early November 2016, a total of 111 PG7 fighters infiltrated the northern Tigray region of Ethiopia in a two-part raid.[31] Violent engagements with Ethiopian security forces took place on 29 October and 7 November, resulting in the capture or death of most of the PG7 fighters. While the

[29] Open-source media reports indicate that the Red Sea Afar Democratic Organization continues to be hosted in the Afar region in north-eastern Ethiopia. See, for example, "Eritrea rebels struggle as government allies with Gulf states", Al Jazeera, 31 August 2017. Available from www.aljazeera.com/video/news/2017/08/eritrea-rebels-struggle-government-strengthens-ties-gulf-arab-states-170831134933947.html.

[30] During its mandate, the Monitoring Group interviewed: two former members who had defected from PG7 in Humera, in the Tigray region of Ethiopia, on 28 February 2017; six detained, and subsequently released, former members of PG7 in Bahar Dar, in the Amhara region of Ethiopia, on 2 March; and three former members who had defected from PG7 in Addis Ababa on 18 August.

[31] The first PG7 contingent, which departed from Eritrea on 25 October, consisted of 30 fighters, including 17 local guides familiar with the Ethiopian countryside. The second wave comprised 81 fighters and departed on 3 November, intending to link up with the first group, unaware that it had already been engaged and neutralized by Ethiopian security forces.

exact aim of the incursion was difficult to ascertain, interviews conducted by the Monitoring Group indicated that its goal was probably either to establish a multi-base guerrilla operation in northern Ethiopia or to undermine the state of emergency that had been declared by the Government of Ethiopia in October in response to widespread protests.[32]

68. Each former PG7 combatant interviewed by the Monitoring Group independently reported the presence of Eritrean military officers at their training camps in Eritrea, most notably Colonel Fitsum Yishak.[33] Several interviewees gave a consistent account of Colonel Fitsum delivering a speech to a PG7 contingent, in which he wished them well on their mission and promised Eritrean military reinforcements should it be successful.[34] The combatants also consistently reported the presence of General Andebrehan Berhe, also known as Wodi Berhe, whom they described as the head of external operations for the Eritrean army, and Colonel Fitsum's direct superior.[35] All but two detained fighters also noted the presence of another Eritrean military officer at the Harena camp, Captain Dawitt Gabreyesus, and three detainees correctly identified him from a photograph. Captain Dawitt was previously described by the Monitoring Group in its report for 2014 as the officer in charge of running the training and day-to-day operations of Ginbot Sebat (S/2014/727, para. 80).

69. The majority of interviewees also described how Eritrean troops had guided them to the Tekezé River during the last stage of their crossing from Eritrea into Ethiopia.[36] Video footage reviewed by the Monitoring Group — with supporting testimony from two PG7 fighters who had defected in June 2017 and who feature in the footage in question — shows the PG7 fighters boarding a lorry near the Harena training camp and, subsequently, two Eritrean soldiers accompanying the fighters for the final leg of the journey on foot (see annex 9).

Captured weaponry

70. PG7 fighters interviewed by the Monitoring Group indicated that their weapons had been supplied by Eritrean military officials,[37] an assertion corroborated by the inspections conducted by the Monitoring Group of captured weaponry near Humera, Ethiopia, on 28 February 2017. Among the significant volume of weaponry documented by the Group, which included more than 40 AK-pattern assault rifles, was a PSL 7.62x54-mm sniper rifle manufactured in Romania (see annex 9). According to information provided to the Group by the Government of Romania, the rifle had been exported to the Ministry of Defence of Eritrea in June 2004 (see annex 9).

71. Also among the weaponry inspected by the Monitoring Group were four Type 69 40-mm high-explosive anti-tank (HEAT) rocket-propelled grenade rounds, two of which bore the lot numbers 2-92-73 and 7-91-93 (see annex 9).[38] Type 69 warheads with both of these lot numbers had been seized from ONLF, following an

[32] Interviews, conducted under the auspices of the Ethiopian authorities, with PG7 defectors and detainees in Humera and Bahar Dar, Ethiopia, on 28 February and 2 March 2017.

[33] Colonel Fitsum Yishak, also known as "Lenin", was first mentioned by the Monitoring Group in its report for 2011 (S/2011/433) as the deputy for external operations of Brigadier General Te'ame Goitom. Further details on Colonel Fitsum's engagement with regional armed opposition groups can be found in S/2012/545, S/2014/727, S/2015/802 and S/2016/920.

[34] Interviews with PG7 defectors and detainees in Humera and Bahar Dar, Ethiopia, on 28 February and 2 March 2017.

[35] Ibid.

[36] Ibid.

[37] Ibid.

[38] In the lot number of a Type 69 round, such as "2-92-73", the first number signifies the batch number, the second is the year of production and the third is the factory code.

attempted raid in September 2010 into Ethiopia via the territory of Somaliland (see S/2011/433, annex 8.3). In addition, Type 69 rounds bearing the lot number 2-92-73 were among the materiel surrendered by the South Sudan Democratic Movement/Army, following the group's defection to the Government of South Sudan in February 2012 (see annex 9). In both cases, evidence suggests that the Government of Eritrea supplied the ammunition to the respective militant groups. The Monitoring Group sent a tracing request on the Type 69 warheads to the relevant Member State on 10 March 2017 (S/AC.29/2017/SEMG/OC.32), but did not receive any substantive information in response. The Group was therefore unable to ascertain whether the Type 69 rounds had originally been supplied to the Government of Eritrea.

72. The Monitoring Group also documented 23 AK-pattern rifles with their serial numbers filed off the receivers, presumably in order to conceal their origin (see annex 9). Since 2011, Conflict Armament Research, an organization based in the United Kingdom, has identified a pattern throughout Africa of rifles with their markings removed, originating exclusively in the Sudan. For instance, rifles similar in appearance to those inspected by the Group, and also with their serial numbers removed, were seized from the South Sudan Democratic Movement/Army prior to September 2012 (see annex 9). One plausible scenario, therefore, is that the assault rifles captured from PG7 had originally been supplied from the Sudan. The Group was, however, unable to confirm the supply chain.

Eritrean financing of PG7

73. On 18 August 2017, the Monitoring Group interviewed a former financial administrator for PG7, T, who had defected to Ethiopia six weeks previously.[39] T informed the Monitoring Group that since the unification between the Ethiopian People's Patriotic Front and Ginbot Sebat in January 2015, the Government of Eritrea has provided monthly payments of 190,000 nakfa (approximately $12,500) to cover reimbursements to both officers and rank-and-file fighters in Eritrea.[40]

B. Benishangul People's Liberation Movement

74. The Monitoring Group previously reported on the incorporation of the Benishangul People's Liberation Movement (BPLM) into the Peoples' Alliance for Freedom and Democracy in Asmara on 25 March 2016 (S/2016/920, para. 71). The Group has not otherwise previously reported on support provided by Eritrea to BPLM, an armed Ethiopian opposition group from the Benishangul Gumuz region in north-western Ethiopia.

75. On 11 January 2017, following a prolonged period of inactivity, Ethiopian anti-government media sources reported an attack by BPLM in the Benishangul Gumuz region, in which 13 Ethiopian soldiers were killed and a further 8 were wounded.[41] In early March 2017, Ethiopian officials announced that Ethiopian soldiers had clashed with BPLM fighters near Asossa, the capital of the Benishangul

[39] T's identity has been withheld for his security.

[40] T's membership of PG7 is confirmed by his presence in video footage of PG7 training that took place in late 2016 in Harena, Eritrea.

[41] See, for example, Girma Alemu, "Benishangul People Liberation Movement attacked soldiers of the minority led Ethiopian regime", Abbay Media, 11 January 2017. Available from http://abbaymedia.com/benishangul-people-liberation-movement-attacked-soldiers-of-the-minority-led-ethiopian-regime/.

Gumuz region, and the Grand Ethiopian Renaissance Dam, and that BPLM was receiving support from Eritrea.[42]

76. On 17 and 19 August 2017, the Monitoring Group interviewed the former leader of BPLM, Abdulwahab Mehadi Issa, in Addis Ababa, following the group's re-engagement with the Government of Ethiopia in June 2017. Testimony provided by Abdulwahab, demonstrating his knowledge of the geography and topography of the Harena training camp, combined with photographic and documentary evidence, indicates that BPLM had been hosted by and was receiving support from the Government of Eritrea.[43]

Defection of BPLM from Eritrea to Ethiopia

77. Abdulwahab informed the Monitoring Group that BPLM had decided to leave Eritrea after 10 years of rebel activities and return to Ethiopia owing to a disagreement with the Government of Eritrea regarding its agenda in Ethiopia. While BPLM sought to promote development in the Benishangul Gumuz region in western Ethiopia, the Government of Eritrea sought destabilization throughout Ethiopia. Abdulwahab explained that BPLM had encountered growing pressure to attack infrastructure in Ethiopia, and particularly the Grand Ethiopian Renaissance Dam in the Benishangul Gumuz region, near the border with the Sudan.

78. As divisions between BPLM and the Government of Eritrea grew, Abdulwahab claimed to have convened a meeting with his group, at which it was decided to re-engage with the Government of Ethiopia. Abdulwahab subsequently travelled to Khartoum, where he met with Ethiopian authorities at the Ethiopian Embassy on 29 June 2016. On 30 June, according to Abdulwahab, all BPLM fighters in Eritrea made their way to the border with the Sudan — losing four fighters on the way in confrontations with the Eritrean military — and arrived in Al-Gedaref, Sudan, on 1 July. The BPLM fighters crossed the border into the Sudan while still in possession of a Toyota Land Cruiser provided by the Eritrean authorities (vehicle registration ER1A 1520), which was later driven to Asossa, where, at the time of writing, it remained. Images of the vehicle, its Eritrean Land Transport Authority Non-Commercial Vehicle Title Certificate, and BPLM fighters upon their return to Ethiopia are contained in annex 10.

79. At the time of its departure from Eritrea, according to Abdulwahab, BPLM was composed of approximately 90 fighters.

Additional evidence of BPLM presence in Eritrea

80. Abdulwahab provided detailed information on the location, geography and topography of the BPLM offices, camps and training facilities in Eritrea, namely the Harena training area in the Gash Barka region, near the town of Haykota in the Gash Barka region, and in Asmara. The details provided by Abdulwahab on the Harena training area corresponded accurately with satellite imagery of the area (see annex 8).

81. Abdulwahab detailed the continuing role played by Colonel Fitsum Isaak "Lenin" and Captain Dawitt Gebreyusus in the training and arming of anti-Ethiopian armed groups in western Eritrea, including BPLM, with legacy assault rifles, sniper rifles, rocket-propelled grenade launchers and explosives. He was also able to locate Colonel Fitsum's office in the Harena training area using

[42] See Nizar Manek, "Eritrea Denies Knowing Group Linked to Ethiopian Dam Plot", Bloomberg, 2 March 2017. Available from www.bloomberg.com/news/articles/2017-03-02/eritrea-denies-knowledge-of-group-linked-to-ethiopian-dam-plot.

[43] The interviews were conducted with the assistance of an interpreter.

satellite imagery (see annex 8). According to Abdulwahab, Colonel Fitsum was subordinate to the Head of National Security, Brigadier General Abraha Kassa, who travelled to Harena training camp to visit the groups periodically.[44]

82. Copies of an identity card provided by the Government of Eritrea and identifying Abdulwahab as a leading member of BPLM can also be found in annex 10.

C. Tigray People's Democratic Movement

83. The Tigray People's Democratic Movement (TPDM), an anti-Ethiopian armed group, often referred to by its Tigrinya acronym, "Demhit", was first mentioned by the Monitoring Group with reference to receiving Eritrean State support in the report for 2011 (S/2011/433, annex 8.1).[45] In its previous report, the Monitoring Group provided testimony from the former chairman of TPDM, Mola Asgedom, who defected from Eritrea to Ethiopia with approximately 800 fighters in September 2015 (S/2016/920, paras. 54–57).

84. According to interviews conducted by the Monitoring Group, since the defection of Mola Asgedom, what remains of TPDM is increasingly fractured and at odds with the Government of Eritrea. Evidence gathered from testimonies from two former fighters who defected in July 2017, indicates that at the time of their defection, the Eritrean military prioritized keeping remaining members of TPDM from fleeing Eritrea over supporting TPDM efforts to conduct attacks in Ethiopia.

Interview with Mola Asgedom

85. The Monitoring Group interviewed the former leader of TPDM, Mola Asgedom, on 3 March 2017 in Addis Ababa, with interpretation provided by a representative of the Ministry of Foreign Affairs of Ethiopia. Mola informed the Group that an estimated 600 fighters in total remained in TPDM in Eritrea at the time. Mola indicated that there had been an estimated 1,700 TPDM fighters in total before his defection, but that fighters had continued to defect since then and had subsequently updated him on the status of the forces remaining in Eritrea.

86. Mola claimed that TPDM had agreed as a group to leave Eritrea and return to Ethiopia, but that news of the fighters' impending return had been leaked to the Eritrean armed forces, who had been able to block many of them before they could reach the Eritrean border town of Omhajer in the Gash Barka region. The remaining fighters were subsequently disarmed and forced into a camp in the vicinity of Haykota and Adi Keshi, west of the town of Barentu in the Gash Barka region. According to Mola, since September 2015, contingents of TPDM have been dispersed to various camps throughout western Eritrea and rearmed by the Eritrean armed forces, and their training has recommenced.

87. Asked about the current leadership of TPDM, Mola informed the Monitoring Group that the former Deputy Chairman, Mekonen Tesfay, had assumed the position of chairman of the movement, with Yibrah Berehe serving as deputy chairman, and Gidey Assefa serving as secretary. According to Mola, TPDM also continued to maintain an office in Asmara, headed by Adegani Gebreselassie, from which media operations were conducted.

[44] The Monitoring Group first mentioned Abraha Kassa in its report for 2014 (S/2014/727, para. 60), describing him as the head of national intelligence in Eritrea, and referred to him subsequently in its report for 2015 (S/2015/802, para. 46).

[45] Further details on TPDM can be found in S/2012/545, paras. 51–52; S/2014/727, paras. 70–77; S/2015/802, paras. 50–57; and most recently in S/2016/920, paras. 53–60.

88. With regard to Eritrean support for the remaining TPDM forces, Mola informed the Monitoring Group that Colonel Fitsum Yishak continued to serve as coordinator for all regional armed opposition groups in western Eritrea, including TPDM.

Interview with other TPDM defectors

89. On 18 August 2017, the Monitoring Group interviewed two former TPDM combatants, T and Z, who claimed that they had fled to Ethiopia via the Sudan from a camp near Fanko, Eritrea, in late July 2017.[46]

90. Following the defection of Mola Asgedom, T and Z described how members of TPDM remaining in Eritrea had initially been disarmed and divided into four units. These groups were subsequently disbursed to different regions of the country, where they were slowly retrained and rearmed as they regained the trust of the Government of Eritrea.

91. According to T and Z, in early May 2017, another TPDM officer, Solomon Tesfay, also known as Akabi Zela, attempted to escape from Eritrea. When caught by the Eritrean military, Solomon killed six Eritrean soldiers before committing suicide. Three of the four TPDM units were subsequently disarmed again and sent to an area near Fanko in the Gash Barka region, while the fourth unit remained at a camp a short distance west of the town of Haykota, on the road between Barentu and Teseney (see annex 8).

92. According to T and Z, as at July 2017, TPDM was divided between a faction loyal to Chairman Mekonen Tesfay and Secretary Gidey Assefa that was increasingly at odds with the Government of Eritrea, and a second group, led by Deputy Chairman Yibrah Berehe, that maintained closer ties to the Government of Eritrea. Collectively, the groups had between 600 and 700 members, though a significant proportion of these were being detained by the Eritrean military, rather than serving as active fighters.

D. Front for the Restoration of Unity and Democracy[47]

93. FRUD-Armé has evolved through various manifestations and phases of activity since it was founded in 1991 (see, for example, S/2016/920, paras. 72–82, and S/2011/433, paras. 269–274). The predominantly Afar-based movement, currently headed by Mohamed Kaddamy, alleges exclusion of the Afar community from political participation and development in Djibouti and human rights violations conducted against the community by the Djiboutian armed forces.[48]

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[46] Interpretation was provided by a third party. As requested by the interviewees, their names have been kept confidential.

[47] Between February and June 2017, the Monitoring Group interviewed, and subsequently assessed the testimonies of, 15 former fighters associated with FRUD-Armé (11 Djiboutian and 4 Ethiopian) who claimed to have been recruited or forcibly abducted from northern Djibouti and taken to Eritrea between 2009 and 2015 for training and equipping. They were subsequently deployed to conduct armed activities in Djibouti between 2010 and 2017. Corroborating information was obtained through interviews with a former fighter associated with a second armed group supported by Eritrea; the review of detailed testimonies of four former Eritrean military personnel based at Dadato and Anda'ali camps; interviews with Djiboutian military, security and civilian officials, staff of international organizations and embassies present in Djibouti; the examination of incident photographs, weapons and other equipment surrendered by returning fighters; and the review of video footage.

[48] According to four interviewees, Kaddamy, who resides in France, last visited the Anda'ali training camp in Eritrea with Abdouldakir Aden in March 2016.

94. The first major phase of the armed conflict between FRUD-Armé and the Government of Djibouti occurred between 1991 and 1994 and the second phase ended in 2000. Both phases ended with the integration of former FRUD leaders into the Government of Djibouti.

95. With the breakdown of relations between Eritrea and Djibouti in 2008, however, Eritrea initiated a programme of sustained support for FRUD-Armé and a third phase of conflict ensued. In 2012, following a brief internal leadership crisis, Abdoulkadir Aden "Redo" assumed military command of the group in the region — with the backing of Mohamed Kaddamy and the Eritrean military — with Assa Abdo, also known as Abdo Omar "Daoud" and Assa "Baxa", serving as his deputy.

96. During the present mandate, FRUD-Armé was based primarily near the Anda'ali training camp in the Southern Red Sea region of Eritrea, from where it conducted regular violent raids on villages in northern Djibouti and attacks on the Djiboutian security forces.

FRUD-Armé recruitment raids in Djibouti

97. All 15 former fighters interviewed by the Monitoring Group claimed to have been either voluntarily recruited or forcibly abducted from Djibouti and taken across the border at Sasso and Dad'atto to Anda'ali military base to commence their training.[49] Four former fighters described how they had subsequently participated in violent cross-border abduction raids, including abductions of children, former deserters and civilians accused of collaboration with the Djiboutian armed forces.

98. Although recruitment raids into Djibouti continued during the mandate, the overall number recruited was relatively small. The FRUD-Armé leadership was also reported to have been increasingly concerned by desertions from within the ranks. Fighters were warned of imprisonment and torture if they attempted to leave the group.[50]

Eritrean facilitation of FRUD-Armé

99. The main FRUD-Armé base is situated approximately 2 km from a battalion of the Eritrean army at Anda'ali. The base operates with the active support of the Eritrean military through the provision of supplies, including weapons, and technical and logistical support.[51]

100. Several interviewees described receiving a consignment of weapons from the Eritrean military in January 2016, including legacy AK-pattern rifles, rocket-propelled grenades and Bren light machine guns. New recruits in 2015 and 2016 described being trained in the use of AK-pattern rifles, rocket-propelled grenades, PK machine guns and grenades.

101. Eritrean military medical personnel attended to ill FRUD-Armé fighters at Anda'ali, with those needing more complex treatment transferred to the Duhtoum military hospital at Assab.

102. Since 2015, FRUD-Armé fighters have mostly been trained by senior members of the group, not by the Eritrean military.[52] However, according to the former

[49] Four of the former fighters were recruited as children and three were Ethiopian Afar migrants who had come to seek work in Djibouti.

[50] A specific raid was organized to capture two deserters in May 2017.

[51] According to one interviewee, the Eritrean military provided 100 sacks of red lentils, 200 sacks of maize flour, 2 jerry cans of cooking oil, 100 kg of onions and 4 cartons of red peppers each month. The group also acquired its own provisions, including livestock, through cross-border raids on villages between Sidiha-Menguela and Weima in northern Djibouti.

[52] Prior to the centralization of FRUD-Armé operations at Anda'ali, FRUD-Armé personnel received direct training from Eritrean military personnel at Wea and Ine camps.

fighters, when visiting Anda'ali in March 2016, Mohamed Kaddamy was accompanied by two Eritrean military officers.

FRUD-Armé activities in Djibouti

103. According to the testimonies gathered by the Monitoring Group, support provided by Eritrea to FRUD-Armé facilitated the planning and execution of a series of low-level attacks on civilian and military targets in Djibouti throughout 2016, intensifying prior to the general elections held in Djibouti in April 2016. The Group collected corroborating information on eight attacks attributed to FRUD-Armé over the course of the previous mandate, including confirmation that the February 2016 Lac Assal Gendarmérie attack was planned and executed from Anda'ali (see S/2016/920, para. 75).

104. During 2017, the Monitoring Group documented further armed activity involving FRUD-Armé in Djibouti, including recruitment campaigns, the abduction of civilians, provisioning raids and military encounters with Djiboutian and Ethiopian security forces.[53]

105. In February 2017, a unit of FRUD-Armé fighters was engaged by Ethiopian troops in heavy fighting for several hours near Siiyarou.[54] Another encounter with Djiboutian forces on 9 June 2017 resulted in the death of at least one FRUD-Armé fighter and the capture of another.[55]

106. On 12 April 2017, two civilians were injured, two vehicles were destroyed and telephones and a GPS system were stolen during an attack by armed fighters at an improvised roadblock on the Tadjourah road at Oulaliss Douloul, 18 km east of Tadjourah.[56] Responsibility for the attack is still being assessed by the Monitoring Group, although the modus operandi and other elements of the internal response of FRUD-Armé to the incident suggest that its fighters were involved.

107. Interviewees described regular movements of FRUD-Armé fighters carrying weapons back and forth across the Djibouti-Eritrea border prior to and during the mandate.[57] Eritrea also permitted the movement of camel caravans carrying weapons, ammunition and rations from Eritrea to support activities in Djibouti.[58] One of these weapons transfers in January 2015 involved the provision of materiel that had been initially confiscated by Eritrea during its rift with FRUD-Armé in 2011. Testimony by former Eritrean military conscripts interviewed by the Monitoring Group — including on the conduct of Eritrean reconnaissance missions as far as 13 km into Djibouti — further indicate that Eritrea had knowledge of these movements.[59]

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[53] On 27 June 2017, for example, the group abducted a corporal in the Djiboutian armed forces, Gouled Mahamoud, and a doctor, Mohamed Housein Hamadou, at Dalaia and subsequently forced them to appear in a series of videos on social media in July.

[54] They were probably mistaken for the Eritrean military owing to the size of their contingent and the fact that some wore Eritrean army uniforms. Djiboutian armed forces operations against FRUD-Armé were reported in May in Ripta and Hamoukalleh and again in June.

[55] The Djiboutian armed forces provided photographs of the dead fighter to the Monitoring Group, which are on file with the Secretariat.

[56] The Monitoring Group reviewed pictures of the attack that were provided by the Djiboutian authorities immediately after the event, on 13 April 2017. The Group also reviewed the medical certificates of two civilians who were injured in the attack and their testimony to the judicial police.

[57] Two interviewees described how they escaped with their weapons and ammunition, which they rendered to the Djiboutian authorities.

[58] The Monitoring Group documented five specific movements of supplies, including food and weapons and ammunition, between Anda'ali camp and locations in northern Djibouti between January 2015 and October 2016.

[59] According to interviewees, in 2016 Eritrean intelligence units were based at Dad'atto, Sidiha-Menguela, where FRUD-Armé had a sub-base, and Bissidoirou on the Djibouti-Eritrea border.

IV. Acts obstructing implementation of resolution 1862 (2009)

108. Between 10 and 13 June 2008, fighting erupted between Djiboutian and Eritrean armed forces over control of the Ras Doumeira peninsula and adjacent territory. The Security Council immediately called upon the parties to commit to a ceasefire, withdraw their respective forces and engage in diplomatic efforts to resolve the matter peacefully (see S/PRST/2008/20). By late December 2009, however, Eritrean forces were still present in the disputed territory.

109. In paragraph 15 (c) of resolution 1907 (2009), the Security Council imposed targeted measures, declaring that it would take action against individuals and entities obstructing the implementation of resolution 1862 (2009). In resolution 1862 (2009), the Council had directed Eritrea to withdraw its forces and equipment to the position of the status quo ante and ensure that no military presence or activity was pursued in the area where the conflict had occurred. Further to the agreement between Djibouti and Eritrea, brokered by Qatar on 6 June 2010 (see S/2010/291), Eritrea withdrew its troops and a Qatari observation force was deployed along the border of the disputed area in Ras Doumeira. In resolution 1907 (2009) and subsequent resolutions (most recently resolution 2317 (2016)), the Council also demanded that Eritrea make available information pertaining to Djiboutian combatants missing in action since the clashes of June 2008.

A. Recent activity in Ras Doumeira

110. On 13 June 2017, following the decision by Djibouti to downgrade its diplomatic relations with Qatar on 7 June 2017, Qatar withdrew its observer forces deployed on the Djibouti side of the border. At the time, it was unclear whether Qatar had also withdrawn its troops from the Eritrean side of the border.[60]

111. In an official document reviewed by the Monitoring Group, Qatar stated that it had withdrawn its forces only from the Djiboutian side of the border. In a public statement on 14 June, the Ministry of Foreign Affairs of Qatar further announced that Qatar "ha[d] withdrawn all its troops deployed on the borderline in the Djiboutian territory".[61] On 15 June, Djibouti wrote to the Council to advise that Qatar had withdrawn its interposition forces on 13 June.[62] On 17 June, in a statement issued by the Ministry of Information of Eritrea, Eritrea noted that it was "not privy to, and ha[d] not to date obtained any information on the withdrawal from the party concerned: that is the State of Qatar".[63] On 3 July 2017, the Minister for Foreign Affairs of Djibouti, Mahamoud Ali Youssouf, claimed in an interview with Reuters that Eritrean troops had entered the disputed areas, "[b]ut then they pulled back".[64]

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[60] Djiboutian authorities informed the Monitoring Group that, on 13 June, they observed seven vehicles entering the disputed zone and arriving at the Qatari observation post. On 22 September, Djibouti provided the Group with imagery captured on the morning of 13 June, indicating movement at the post. The Group was, however, unable to draw any conclusions due to the poor quality of the imagery.

[61] Ministry of Foreign Affairs of Qatar, "Qatar informs Djibouti on withdrawing all its troops", press release, 14 June 2017. Available from www.mofa.gov.qa/en/all-mofa-news/details/2017/06/14/qatar-informs-djibouti-on-withdrawing-all-it-troops.

[62] Letter dated 14 June 2017 from the Ministry of Foreign Affairs and International Cooperation of Djibouti to the President of the Security Council, transmitted by the Permanent Representative of Djibouti in a letter dated 15 June 2017. On file with the Secretariat.

[63] Ministry of Information of Eritrea, press release, 17 June 2017. Available from www.shabait.com/editorial/press-release/24210-press-statement.

[64] Aaron Maasho, "Djibouti asks AU to deploy observers along its disputed border with Eritrea", Reuters, 3 July 2017. Available from www.reuters.com/article/us-djibouti-eritrea-border/djibouti-asks-au-to-deploy-observers-along-its-disputed-border-with-eritrea-iduskbn19o1hr.

112. Given the lack of clarity, the African Union deployed a fact-finding mission, which travelled to Djibouti in late June.[65] On 9 July, the African Union Commission announced that a planned visit to Eritrea by the Commissioner for Peace and Security had been postponed "at the request of the Eritrean authorities and due to a conflicting calendar".[66] At the time of writing, the African Union mission findings had yet to be published.[67]

113. On 22 August, Qatar informed the Monitoring Group that its forces had withdrawn from the Eritrean and Djiboutian sides of the disputed area on 13 June.[68] Qatar also confirmed that the positions of the parties at the time of the withdrawal were as follows: Eritrean forces were approximately 4 km away from Doumeira Mountain at Rahayta and Djiboutian forces were in the area of Moulhoule, located approximately 20 km from the border. The Group was unable to independently verify this information.

114. In order to assess the disposition of Djiboutian, Eritrean and Qatari forces in the disputed and immediately adjacent areas, the Monitoring Group sought permission from both Djibouti and Eritrea to visit the disputed area from their respective territories. At the time of writing, the Group had not received a response from Eritrea. The Djiboutian authorities indicated, in person,[69] in official correspondence[70] and in an official press release,[71] their willingness to facilitate a visit. At the time of writing, the visit had not materialized: logistical information required for the visit was provided by Djibouti on 4 September, too late to conduct a mission prior to the submission of the present report.

115. Satellite imagery analysed by the Monitoring Group confirmed continuing activity in the disputed zone between 19 June and 23 July 2017, which included the presence and movement of what appeared to be three small patrol vessels and five large transport vehicles or trucks. Further low-level activity — the movement of three vessels and one truck — was also apparent between 23 July and 9 September 2017 (see annex 11). The Group was unable to determine by whom these vessels and vehicles were controlled and in what activities they were engaged.

116. At the time of the submission of the present report, the situation on and around the border, and the status of the mediation role of Qatar, remained unclear. Eritrea continued to assert that it had not been informed by either of the other parties that the agreement of 6 June 2010 had been terminated.[72] In an official document reviewed by the Group, Qatar did not mention withdrawing from the mediation

[65] African Union, "AU Commission calls for restraint on the Djibouti-Eritrea border", press release, 17 June 2017. Available from www.peaceau.org/en/article/press-release-au-commission-calls-for-restraint-on-the-djibouti-eritrea-border.

[66] African Union, "AU High-Level Delegation Visit to Asmara, Eritrea Postponed", press release, 9 July 2017. Available from www.peaceau.org/uploads/auc.pr.eritrea.09-07-2017.pdf.

[67] At the time of writing, the Monitoring Group had not received a reply from the African Union to its correspondence (S/AC.29/2017/SEMG/OC.116) regarding the outcome of the visit.

[68] Letter dated 22 August from the Permanent Mission of Qatar to the United Nations addressed to the Coordinator of the Monitoring Group on Somalia and Eritrea.

[69] Meetings and communications between the Monitoring Group and Djiboutian authorities between June and August 2017.

[70] Letter dated 19 June 2017 from the Permanent Representative of Djibouti to the United Nations addressed to the Monitoring Group.

[71] A press release by the Ministry for Foreign Affairs of Djibouti on 22 June 2017 announced that missions by the African Union and the Monitoring Group were imminent. Ministry of Foreign Affairs of Djibouti, "Djibouti/Erythrée: Bientôt une mission Onusienne à Doumeira", press release, 22 June 2017. Available from www.djibdiplomatie.dj/index.php/8-communique-de-presse/668-djibouti-erythree-bientot-une-mission-onusienne-a-doumeira.

[72] Videoconference between the Chair of the Committee, the Monitoring Group and the Permanent Mission of Eritrea to the United Nations, 11 September 2017.

process but did claim to have "kept the peacekeeping forces on the Eritrean side in line with its continued commitment to seek a peaceful resolution to this dispute". Nevertheless, Qatar did inform Djibouti on 12 June that it intended to inform the Secretary-General of its decision to end its mediation role.[73] A copy of this letter was forwarded to the Security Council by Djibouti on 15 June.[74] According to the most recent information obtained by the Group, however, no such communication has been sent to the Secretary-General.

117. The Monitoring Group remains concerned that, in the absence of a clear mediation framework, progress towards settlement of the outstanding issues between Djibouti and Eritrea is in stasis and the situation on the ground is vulnerable to manipulation by spoilers. The lack of clarity on the venue for discussions also undermines the ability of Eritrea to comply with the directions of the Security Council to engage in "diplomatic efforts leading to a mutually acceptable settlement of the border issue" (resolution 1862 (2009), para. 5 (ii)).

B. Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008

118. During the conflict between Djibouti and Eritrea in June 2008, combatants were captured by both sides. According to the Government of Djibouti, 30 Djiboutian soldiers were killed, 39 were injured, 49 were handicapped and 19 were reported missing in action, presumed to have been taken as prisoners of war (S/2011/433, para. 428).[75] Djibouti also acknowledged that it had seized 17 Eritrean prisoners of war during the conflict.

119. In paragraph 4 of resolution 1907 (2009), the Security Council demanded that, "Eritrea make available information pertaining to Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war".

120. According to article 3 of the executive document of the agreement of 6 June 2010 between Eritrea and Djibouti: "Each party shall provide the State of Qatar with a list containing the number and names of POWs detained by it, if any, and also a list containing the number and names of missing persons. The exchange of POWs between the two countries shall be made, and each Party shall investigate the fate of missing persons. All this shall be done under the supervision of the State of Qatar."[76]

121. Eritrea has maintained that the issue of the prisoners of war "is part and parcel of the seven-point comprehensive Agreement" and therefore a matter solely for the Qatari mediation team.[77] In paragraph 33 of resolution 2317 (2016), however, the Council stressed its demand that information on the missing combatants be made available by Eritrea, including to the Monitoring Group.

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[73] Communication from the Ministry of Foreign Affairs of Qatar to the Embassy of the Republic of Djibouti in Doha.

[74] Letter dated 14 June 2017 from the Ministry of Foreign Affairs and International Cooperation of Djibouti to the President of the Security Council, transmitted by the Permanent Representative of Djibouti in a letter dated 15 June 2017. On file with the Secretariat.

[75] Djibouti provided an updated list to the Monitoring Group of its former prisoners of war and its remaining missing combatants relative to the June 2008 conflict, including details of rank, regiment and current status. On file with the Secretariat.

[76] See http://ucdp.uu.se/downloads/fullpeace/Dji-Eri%2020100606.pdf.

[77] See, for example, S/2015/802, para. 105; and a letter dated 17 April 2015 from Eritrea to the Committee.

122. Despite entering into the negotiations mediated by Qatar, Eritrea initially refused to acknowledge the existence of the missing Djiboutian combatants. In September 2011, however, two Djiboutian prisoners of war being held in Eritrea managed to escape. In March 2016, with the assistance of Qatari mediation, four prisoners of a group of seven who had been imprisoned at Shabay-Mandar in the Northern Red Sea region, were released by Eritrea.[78] The returnees were unable to provide any information to the Monitoring Group on any remaining prisoners.

123. In written correspondence to the Monitoring Group in August 2016, Eritrea subsequently asserted that the seventh prisoner had died and that there were no more prisoners of war on its territory (see S/2016/920, annex 1.7). In February 2017, however, Djibouti informed the Group that it had received indications from a Member State that some of the missing Djiboutian combatants might still be alive in Eritrea. The Group was unable to verify this information.

Status of the mediation role of Qatar

124. On 20 March 2017, the Monitoring Group met the chief mediator of Qatar, the Special Envoy of the Foreign Minister for Counterterrorism and Mediation of Conflict Resolution, Mutlaq bin Majed Al Qahtani, in Doha to discuss the issue of Djiboutian prisoners of war in Eritrea and the broader engagement of Qatar in the ongoing mediation efforts. Dr. Al Qahtani informed the Group at the time that Qatar remained engaged in negotiations between the two Member States, although he was awaiting a formal invitation to visit Asmara to discuss the issue of Djiboutian prisoners of war with representatives of the Government of Eritrea in person.

125. As noted above, however, at the time of writing, the status of the role of Qatar in the mediation between Eritrea and Djibouti was unclear.

Eritrean prisoners of war in Djibouti

126. In 2017, the Government of Djibouti authorized UNHCR to review the individual histories of Eritrean prisoners of war who had been held in Djibouti since the clashes of 2008 and to make recommendations with respect to their status and need for protection.[79] If any individuals are eligible for refugee status, UNHCR will identify third countries for resettlement, which will require support from Member States.[80]

V. Revenue from the mining sector

127. The Monitoring Group takes note of paragraph 12 of resolution 2023 (2011), in which the Security Council expressed concern at the potential use of revenue from the Eritrean mining sector to destabilize the Horn of Africa and called upon Eritrea to show transparency in its public finances in order to demonstrate that mining revenue was not being used to violate sanctions. In paragraph 13 of that resolution, the Council decided that Member States should take appropriate

[78] For an account of the interviews conducted by the Monitoring Group with the six former prisoners of war on 30 March 2016, see S/2016/920, paras. 105–112.

[79] Interviews in Djibouti with international humanitarian organizations, February and April 2017; telephone interview with an official of the Office of the United Nations High Commissioner for Refugees (UNHCR), 7 September 2017.

[80] In February 2017, the chief mediator of Qatar visited Djibouti and interviewed the Eritrean prisoners of war. He assured them that they would not be transferred anywhere without their prior approval. In March, during a visit by the Monitoring Group to Qatar, the chief mediator expressed concerns to the Group about the mental state of four of the Eritrean prisoners of war. He expressed the hope that they would be granted asylum in a "peaceful country".

measures to prevent funds derived from the mining sector from being used to violate relevant resolutions, including through the issuance of due diligence guidelines, and requested the Committee, with the assistance of the Group, to draft guidelines for the optional use of Member States.

128. In its report for 2012, the Monitoring Group provided three options to the Committee to improve transparency regarding mining revenue in Eritrea: voluntary disclosure and earmarking, joint supervision, and mandatory disclosure (see S/2012/545, paras. 115–121). In its subsequent report, the Group recommended the option of joint supervision, while noting that implementation would require the voluntary cooperation of the Government of Eritrea (see S/2013/440, paras. 158–163). Meanwhile, since the adoption of resolution 2023 (2011), the Group has documented a chronic lack of transparency in the mining sector, including a lack of cooperation by the Government of Eritrea in allowing Group access to financial records and the country's territory.[81]

A. Eritrean mining sector

129. Eritrean mineral deposits include copper, gold, silver, zinc and potash. Eritrea may also have oil and gas reserves, but these have not been proven. In its report for 2014, the Monitoring Group outlined the regulatory framework for mining companies in Eritrea (see S/2014/727, paras. 119–121). According to article 2 of Proclamation No. 165/2011, the Eritrean National Mining Corporation (ENAMCO) has the right to a free 10 per cent carried interest and the right to purchase an additional 40 per cent stake in mining joint ventures.

130. Two mining joint ventures, the Bisha Mining Share Company and the Zara Mining Share Company, are currently in production and another two, the Asmara Mining Share Company and the Colluli Mining Share Company, are projected to begin production during 2017 and 2018:

(a) Bisha Mining Share Company, 40 per cent owned by ENAMCO and 60 per cent owned by Nevsun Resources Ltd., operates the Bisha mine located 150 km west of Asmara, producing gold, silver, copper and zinc;

(b) Zara Mining Share Company, 40 per cent owned by ENAMCO and 60 per cent owned by the China Shanghai Group Corporation for Foreign Economic and Technological Cooperation, operates the Koka gold mine in northern Eritrea;

(c) Asmara Mining Share Company, 40 per cent owned by ENAMCO and 60 per cent owned by the Sichuan Road and Bridge Mining Investment Development Corporation Ltd., is projected to begin production of gold, copper and zinc in late 2017;

(d) Colluli Mining Share Company, 50 per cent owned by ENAMCO and 50 per cent owned by Danakali Limited, is projected to begin production of potash at its deposit 175 km south-east of Asmara in late 2018.

B. Payments to the Government

131. A lack of transparency has been a major factor in the poor governance of natural resources, with little accountability for the mining revenue received by the Government and how it is spent. According to the 2017 Resource Governance Index developed by the Natural Resource Governance Institute, a non-governmental

[81] See S/2012/545, paras. 110 and 113; S/2013/440, footnote 119; S/2014/727, paras. 113 and 114; S/2015/802, paras. 91 and 92; and S/2016/920, para. 84.

organization based in the United States, Eritrea ranks last among the 89 countries assessed, and ENAMCO also ranks last among the 74 State-owned enterprises in the oil and mining sectors included in the index.[82]

132. The limited transparency that exists in the mining sector has been facilitated by the reporting of foreign corporations rather than disclosures by the Government of Eritrea. The Bisha mine has been the principal source of mining revenue since 2011. According to the financial report filed by Nevsun under the Extractive Sector Transparency Measures Act of Canada (see S/2016/920, paras. 94–96), the company paid the following to the Government of Eritrea in 2016: $26.6 million in taxes, $14.9 million in royalties and $1.8 million in fees, for a total of $43.3 million to the Department of Inland Revenue; $37.6 million in fees to the Ministry of Energy and Mines for exploration rights on land adjacent to existing exploration licences; and $16 million in dividends due to ENAMCO as the owner of 40 per cent of the Bisha Mining Share Company (see annex 12). In its corporate social responsibility report for 2016, Nevsun disclosed further payments of $7.2 million in payroll taxes and $4.5 million in withholding taxes, customs and duties.[83] The total paid by Nevsun to the Government of Eritrea in 2016 was therefore $108.6 million.

133. The Monitoring Group continues to track the developments in a civil court case, *Araya v. Nevsun Resources Ltd.*, initially filed in November 2014 in the Supreme Court of British Columbia, Canada, in which three former workers at the Bisha mine have alleged human rights violations during the construction and operation of the mine (see S/2016/920, para. 93). The Group's interest in the case lies not in any potential human rights violations, but in any relevant financial information regarding the mining industry that it might reveal. On 6 October 2016, the Supreme Court of British Columbia issued a judgment allowing the case to proceed, which has been appealed by Nevsun. Since the judgment of October 2016, the three initial plaintiffs have been joined by more than 50 others. A hearing at the Court of Appeal of British Columbia has been scheduled for 25 to 28 September 2017.

VI. Recommendations

134. Given that the Monitoring Group has been unable to find conclusive evidence of Eritrean support for Al-Shabaab in Somalia for four consecutive mandates, the Group recommends that the Security Council consider disassociating the sanctions regimes for Eritrea and Somalia.[84]

135. The sanctions on Eritrea and Somalia could be disassociated through one of the following technical options:

(a) The establishment of a separate committee concerning Eritrea and a separate monitoring group on Eritrea (two committees, two monitoring groups);

[82] The Resource Governance Index assesses three components — value realization, enabling environment, and revenue management — by examining 14 underlying factors.

[83] Nevsun Resources Ltd., "Core Growth: 2016 Corporate Social Responsibility Report", available from http://nevsuncsr.com/wp-content/uploads/2015/06/CSR-2016-Digital.pdf.

[84] The Monitoring Group notes that there is a precedent for the disassociation of United Nations sanctions. On 17 June 2011, with the adoption of resolutions 1988 (2011) and 1989 (2011), the Security Council split the consolidated list of individuals and entities subject to sanctions measures originally imposed under resolutions 1267 (1999) and 1333 (2000), in order to have separate lists for individuals, groups, undertakings and entities associated with Al-Qaida and for those associated with the Taliban. A separate committee was thus established pursuant to resolution 1988 (2011), while a single monitoring team continued to support both committees.

(b) The establishment of a separate committee concerning Eritrea, with the Monitoring Group as currently configured supporting both committees (two committees, one monitoring group);

(c) The establishment of a separate monitoring group on Eritrea reporting to the current Committee (one committee, two monitoring groups).

136. The Monitoring Group recommends the first option of establishing a separate committee concerning Eritrea and a separate monitoring group on Eritrea. With a narrower focus for each group of sanctions experts, this configuration could facilitate more efficient monitoring and reporting on both Eritrea and Somalia. It would also assist the Security Council in its decision-making regarding sanctions measures imposed on the two Member States independently of one another.

Annex 1: Interdiction of shipment of blank-firing pistols in Kismayo, Somalia

Figure 1: SJ African docked at the Port of Kismayo.

Figure 2: Container found to be carrying blank firing pistols.

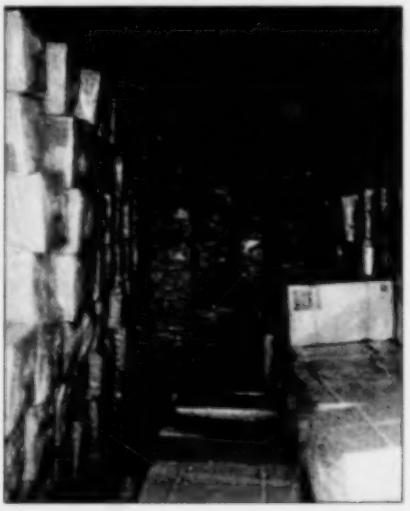


Figure 3: Ekol Tuna 8mm blank firing pistol.

Figure 4: Ekol P29 9mm blank firing pistol.

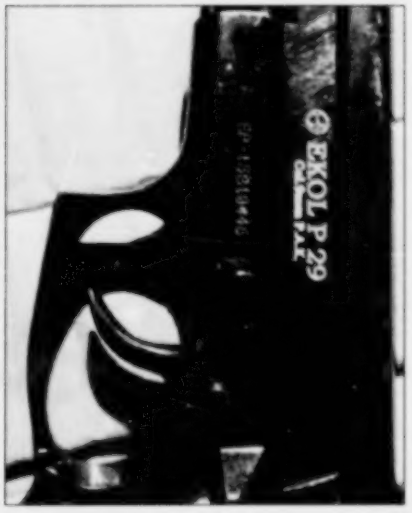


Figure 5: Voltran packing list.

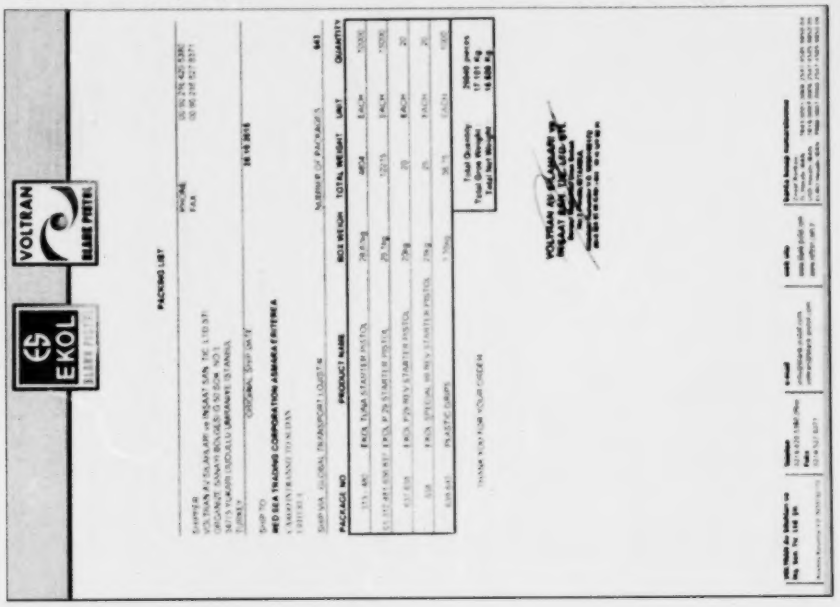


Figure 6: Voltran receipt.

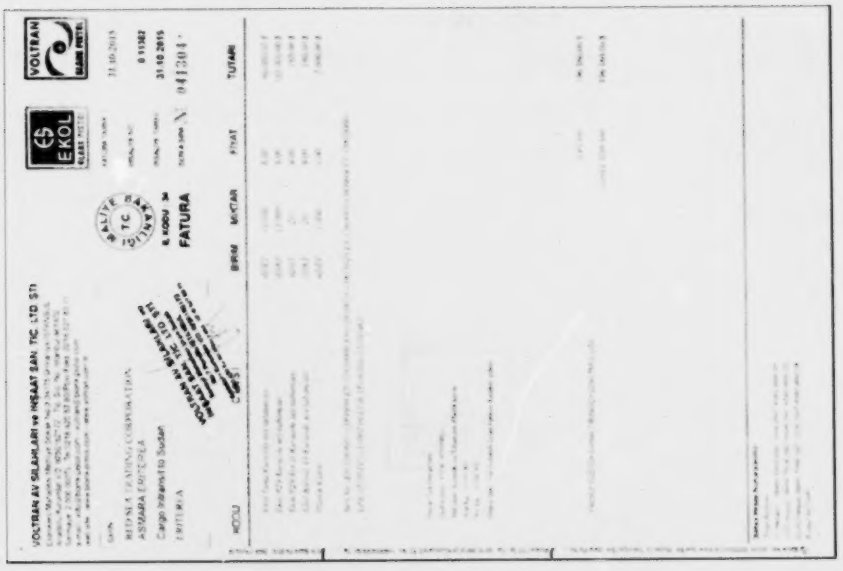
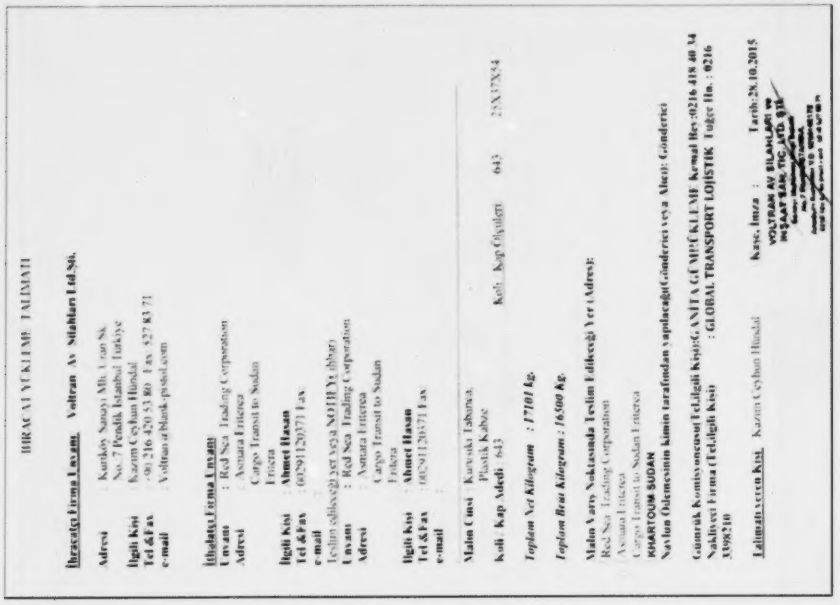


Figure 7: Voltran export loading instructions.



BIRACI VE YÜKLEME TALİMATI

İhracatçı Firma Unvanı: Voltran As Müdürlüğü

Adresi : Kurtköy Sanayi Mh. 1 cad No. No: 7 Pendik İstanbul Türkiye
İlgili Kişi : Kazım Ceyhun Hindal
Tel &Fax : +90 216 420 53 80 Fax: 527 83 71
e-mail : Voltran@bank-pasted.com

İthalatçı Firma Unvanı:
Unvanı : Red Sea Trading Corporation
Adresi : Asmara Eritrea
Cargo Transit to Sudan
Eritrea
İlgili Kişi : Ahmet Hasan
Tel &Fax : 00291120371 Fax
e-mail : Teslim edilecek yer sega NOTIFY'da olmalı
Unvanı : Red Sea Trading Corporation
Adresi : Asmara Eritrea
Cargo Transit to Sudan
Eritrea
İlgili Kişi : Ahmet Hasan
Tel &Fax : 00291120371 Fax
e-mail :

Malın Cinsi : Kurutulmuş Tahmis,
Plastik Kabuk
Koli Kap Adedi 643 Koli Ağırlığı (Net) 643 25X37X34

Toplam Net Kilogram : 17101 kg.

Toplam Brut kilogram : 16500 kg.

Malın Varış Noktasında Teslim Edileceği Yer (Adresi:
Red Sea Trading Corporation
Asmara Eritrea
Cargo Transit to Sudan Eritrea
KHARTOUM SUDAN
Navlun Ödenecekin kimin tarafından yapılacağı(Gönderen veya Alıcı): Gönderici

Gümrük Komisyoncusu(Telİlgili Kişi):G.UNİTAS GÜMÜŞKILINÇ Kemal Bey:0216 418 40 34
Nakliyeci Firma (Tel.ilgili kişi) : GLOBAL TRANSPORT LOJİSTİK Tuğçe Hn. : 0216 3390510

Lütfen yazın Kişi: Kazım Ceyhun Hindal Kaşe, İmza : Tarih:28.10.2015

VOLTRAN AV BİLANÇOLARI VE MİŞAAT SAN. TİC. LTD. ŞTİ.

Figure 8: African Express Cargo Manifest.

CARGO MANIFEST 01

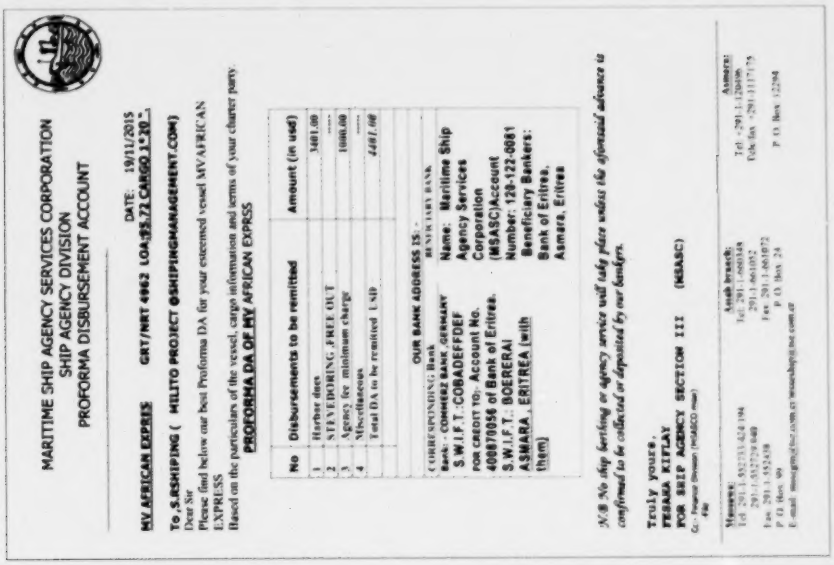
M/V AFRICAN EXPRESS — ISMES SEAPORT, TURKEY — MALATYA/SEBEN BELOW ZONE — 30.11.2015 — ERSEMAR

PALAU

MASTER OF M/V AFRICAN EXPRESS

AS AGENT

Figure 9: Massawa port receipt.



MARITIME SHIP AGENCY SERVICES CORPORATION
SHIP AGENCY DIVISION
PROFORMA DISBURSEMENT ACCOUNT

DATE: 19/11/2015

MV AFRICAN EXPRESS GRT/NRT 4962 LOA:95.72 CARGO 1*20"

To :S.R.SHIPING (HILITO PROJECT @SHIPSINGMANAGEMENT.COM)

Dear Sir

Please find below our best Proforma DA for your esteemed vessel MV AFRICAN EXPRESS

Based on the particulars of the vessel, cargo information and terms of your charter party.

PROFORMA DA OF MV AFRICAN EXPRESS

No	Disbursements to be remitted	Amount (in usd)
1	Harbor dues	3401.00
2	STEVEDORING FREE OUT	----
3	Agency fee minimum charge	1000.00
4	Miscellaneous	----
	Total DA to be remitted USD	4401.00

OUR BANK ADDRESS IS :-

CORRESPONDING Bank
Bank : COMMERZ BANK, GERMANY
S.W.I.F.T. :COBADEFFDEF
for credit to: Account No.
400870056 of Bank of Eritrea.
S.W.I.F.T.: BOERERAI
ASMARA, ERITREA (with them)

BENEFICIARY BANK
Name: Maritime Ship Agency Services Corporation (MSASC)Account Number: 120-122-6081
Beneficiary Bankers: Bank of Eritrea, Asmara, Eritrea

N.B No ship berthing or agency service will take place unless the aforesaid advance is confirmed to be collected or deposited by our bankers.

Truly yours,
FESAHA KIFLAY
FOR SHIP AGENCY SECTION III (MSASC)
Co.- Proforma Division (MSASC) mail
doc

Massawa
Tel: +291 1 552733/ 554 194
+291 1 552734/ 649
Fax: 291 1 552438
P O. Box: 99

Asab branch
Tel: +291 1 560564
+291 1 561052
Fax: 291 1 561052
P. O. Box: 24

Assab
Tel: +291 1 120305
Fax: +291 1 117175
P. O. Box: 12264
E-mail: msasg@eol.net.er msasb@eol.net.er

Seizures of blank-firing pistols by authorities in Somalia and other countries subject to UN arms embargoes

1. The 2013 SEMG report documented a seizure of blank-firing pistols in Puntland — manufactured by Turkish-based company, Atak Arms Industry Co. Ltd. — intended for Al-Shabaab (S/2013/413 annex 6.1).

2. In 2016, the Panel of Experts on Libya pursuant to resolution 1973 (2011) referred to the continued transfer of hunting rifles, cartridges, rubber bullets as well as blank-firing pistols from Turkey to Libya. In 2013, the Permanent Mission of Turkey contacted the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya to request guidance on this issue. The Committee confirmed that "this type of materiel is subject to the embargo," (see S/2016/209, annex 35).

3. On 20 March 2017, a Kingdom of Saudi Arabia media outlet published an article a seizure of weapons, which, based on a visual analysis, appear to be EKOL ASI 9mm blank-fire sub machine guns.[1] At the time of writing, the Panel of Experts on Yemen pursuant to resolution 2140 (2014) were investigating whether the weapons were being smuggled into Yemen in violation of the targeted arms embargo, as specified in paragraph 14 of Security Council resolution 2216 (2015).

[1] Mohammed Al-Sulami, "Saudi Border Guards stops efforts to plant land mines, smuggle weapons in southern Kingdom", 20 March 2017. Available from www.arabnews.com/node/1071011/saudi-arabia.

Annex 1.1: Conversion of blank-firing pistols*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 2: Interdiction of military radios from the Democratic People's Republic of Korea

Figure 1: Air waybill for a shipment of military radios intended for Eritrea.

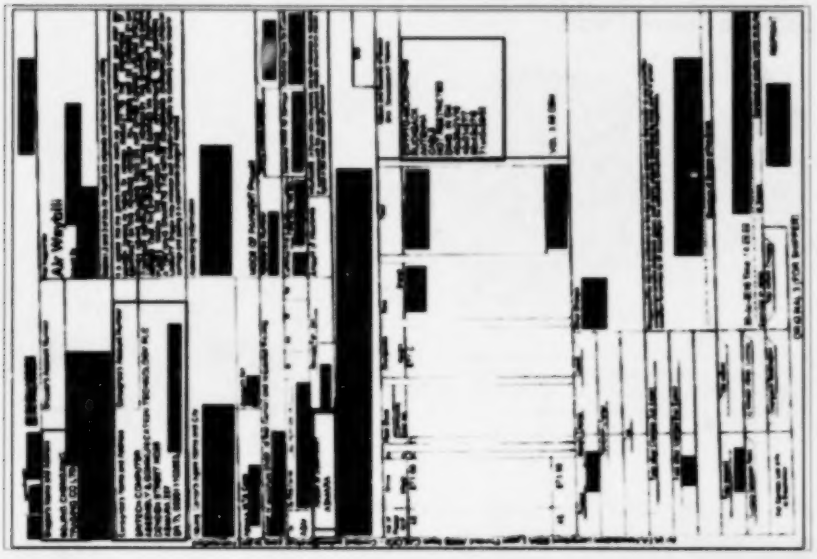


Figure 2: Air waybill for a shipment of military radios intended for Eritrea.

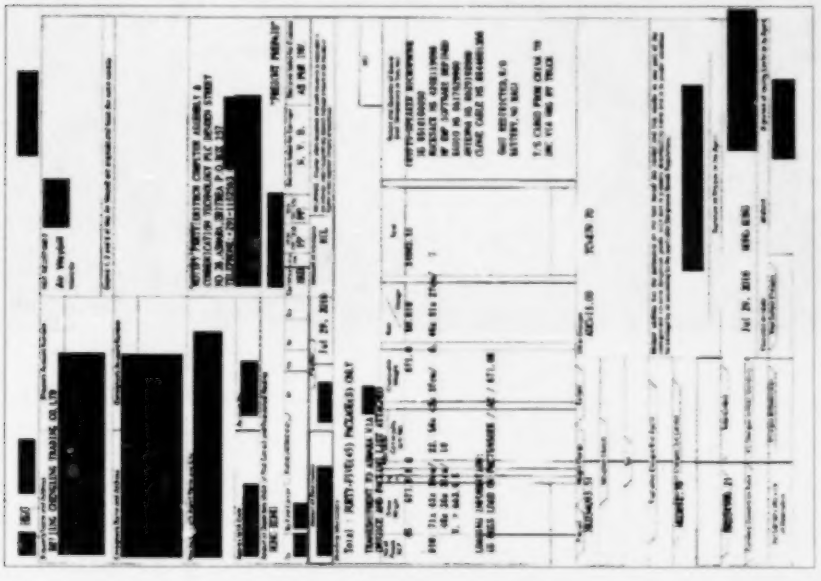


Figure 3: Radio advertised on Glocom website (https://glocom-corp.com).

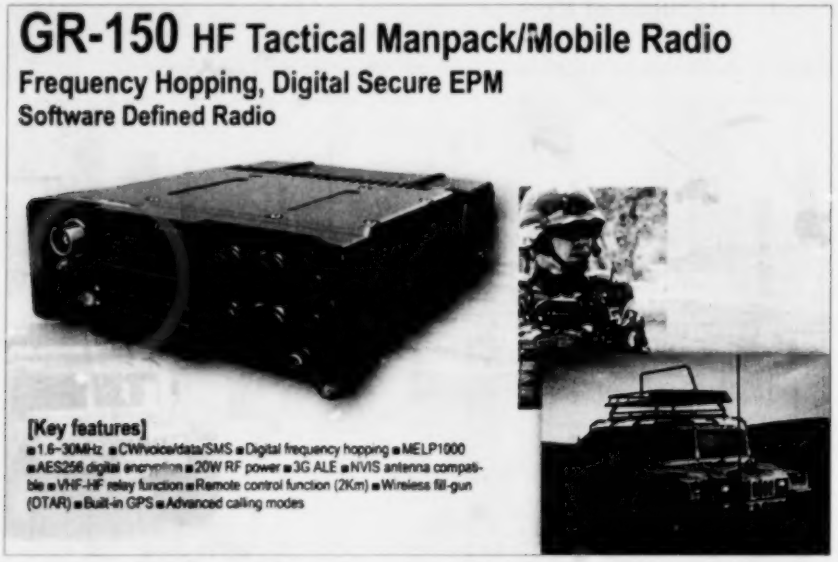

GR-150 HF Tactical Manpack/Mobile Radio
Frequency Hopping, Digital Secure EPM
Software Defined Radio
[Key features]
■1.6~30MHz ■CW/voice/data/SMS ■Digital frequency hopping ■MELP1000
■AES256 digital encryption ■20W RF power ■3G ALE ■NVIS antenna compati-
ble ■VHF-HF relay function ■Remote control function (2Km) ■Wireless fill-gun
(OTAR) ■Built-in GPS ■Advanced calling modes

Figure 4: Photograph of Glocom radio intended for Eritrea.

Annex 3: Zlín Avion pilot training and support in Asmara*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4: Eritrean pilot and naval training in the United Arab Emirates

Figure 1: Redacted UAE residence visa.

Figure 2: Redacted certificate issued by the Khalifa Bin Zayed Air College.

Figure 3: Redacted certificate issued by the Rashid Bin Saeed Al Maktoum Naval College.

Figure 4: Cadets upon completion of training holding an Eritrean flag in front of a UAE Air Force Boeing C-17A Globemaster III (redacted).

Annex 5: Agusta Bell helicopter overhauls in Italy

Figures 1 and 2: Contract between Airgreen and Yonas Tesfai representing the Ministry of Transport and Communications.

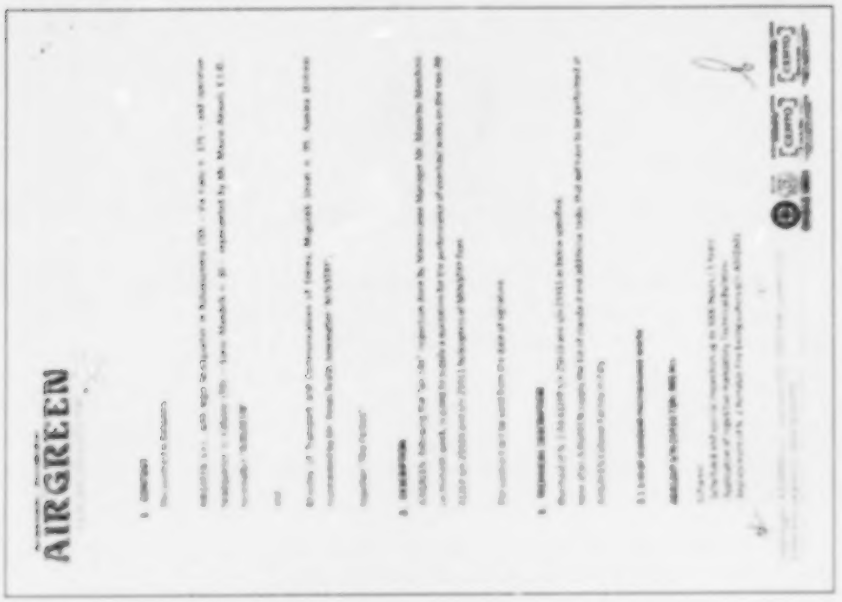


Figure 3: Civil Aviation Authority Certificate of Registration

THE STATE OF ERITREA

Civil Aviation Authority

Certificate of Registration

No. ER-CAA/COR-1/09

1 Nationality and Registration Marks	2 Manufacturer and Manufacturer's Designation of Helicopter	3 Helicopter Serial Number
E3-ABD	AGUSTABEL 412EP/AGUSTA WESTLAND)	25910

4 Name of registered owner

MINISTRY OF TRANSPORT & COMMUNICATIONS

5 Name of Registered Operator

MINISTRY OF TRANSPORT & COMMUNICATIONS

6 Address of registered owner

MINISTRY OF TRANSPORT & COMMUNICATIONS
P O BOX 252, ASMARA, ERITREA
TEL: +291-1-181120/291-1-184111
Email: [redacted]
(AX:291-1-184666)

7 Address of Registered Operator

MINISTRY OF TRANSPORT & COMMUNICATIONS
P O BOX 252, ASMARA, ERITREA
TEL: +291-1-181120/291-1-184111
Email: [redacted]
(AX:291-1-184666)

8 It is hereby certified that the above described aircraft has been duly entered on the Eritrean Civil Aircraft Register in accordance with the Convention on International Civil Aviation, dated 7th December 1944 and pursuant to the Eritrean Civil Aviation Authority Proclamation No. 169/2012 and Regulations thereon.

Date of Issue 16th October 2014

Signature
Director General
Civil Aviation Authority

Note: a) This Certificate of Registration is not transferable
b) No entries or endorsement may be made on this Certificate except by the Civil Aviation Authority

Figure 4: Letter from the Eritrean Ministry of Foreign Affairs to the Embassy of the Republic of Italy in Asmara

THE STATE OF ERITREA
Ministry of Foreign Affairs

Date: 04/07/2016
Ref no: PR/021/16

The Protocol Division of the Ministry of Foreign Affairs of the State of Eritrea presents its compliments to the Embassy of the Republic of Italy and has the honour to inform the latter that the following, from the Eritrean Air Force, are travelling to Rome, Italy on a work visit to Eritrean Embassy in Rome

1. Mr. Tesfai Habtesellasie Embaye, Diplomatic passport no G00000034
2. Mr. Tesfaldet Habtesilasse Naizghi, Diplomatic passport no G00000451
3. Mr. Yonas Tesfas Tedla, Service passport no H00001257
4. Mr. Ameremn Amanuel Gebremedhin, Service passport no H00001537
5. Mr. Yonas Henok Ghebretensae, Service passport no H00001566

The Protocol Division of the Ministry of Foreign Affairs of the State of Eritrea, therefore, request the esteemed Embassy to issue the first two officials a One year required Multiple Schengen visa while for the rest to issue them a one month required entry visa as of 07/07/2016.

The Protocol Division of the Ministry of foreign Affairs of the State of Eritrea avails itself of the opportunity to renew to the Embassy of the Republic of Italy in Asmara the assurance of its highest consideration.

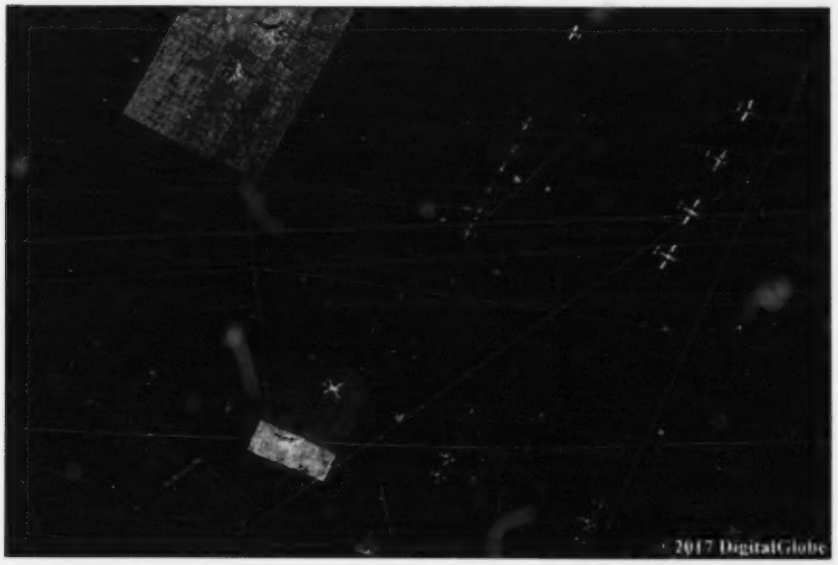
The Embassy of the Republic of Italy

Asmara, Eritrea

Figure 5: Image of helicopters upon arrival at Airgreen service centre.

Figure 6: Image of helicopters following completion of overhaul.

Figure 7: Satellite imagery of helicopters on Asmara airport military apron, 24 October 2016.



Annex 6: Mi-17 helicopter overhaul in Russian Federation

Figure 1: Satellite imagery of helicopter on Asmara airport military apron, 17 June 2017.

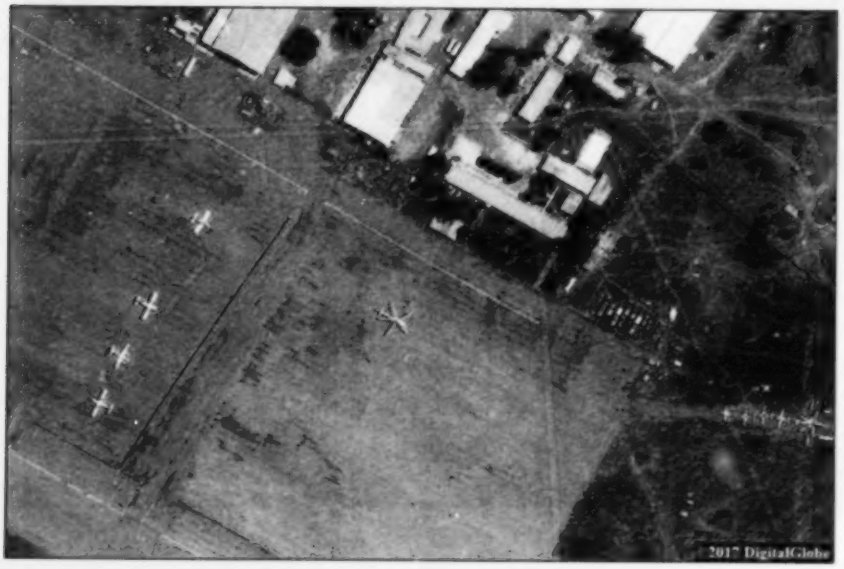
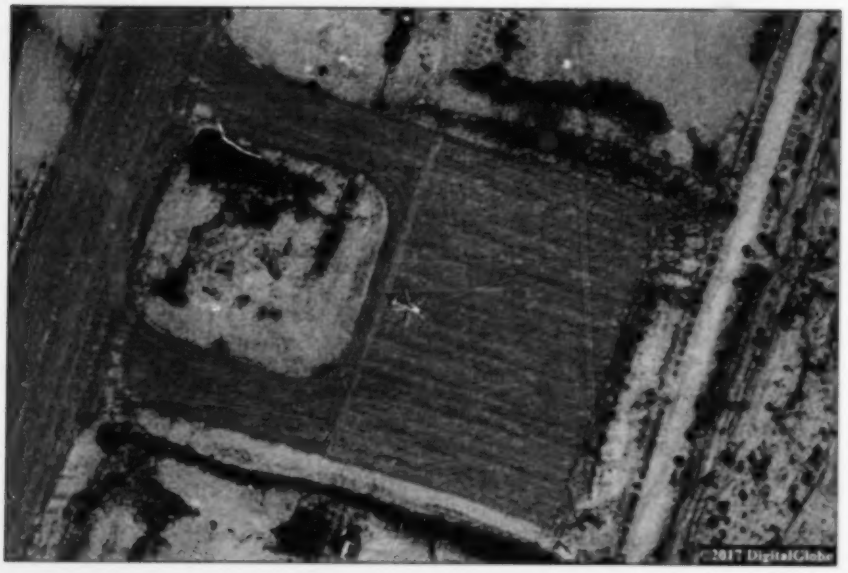


Figure 2: Satellite imagery of helicopter at Sawa Military Academy, 9 September 2016.



Annex 7: Expansion of the UAE military bases in Assab, Eritrea

Figure 1: Satellite imagery of Assab military base, 14 September 2017.

Figure 2: Satellite imagery of permanent port facility at Assab military base, 14 September 2017.

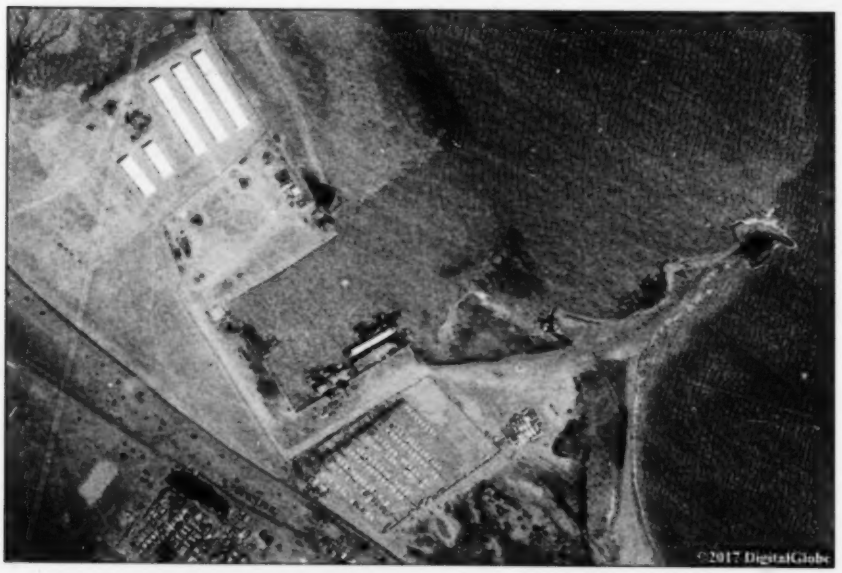


Figure 3: Satellite imagery of UAE vessels at Assab Port, 14 March 2017.

Annex 8: Armed group training areas in Eritrea

Figure 1: Map of Harena training area

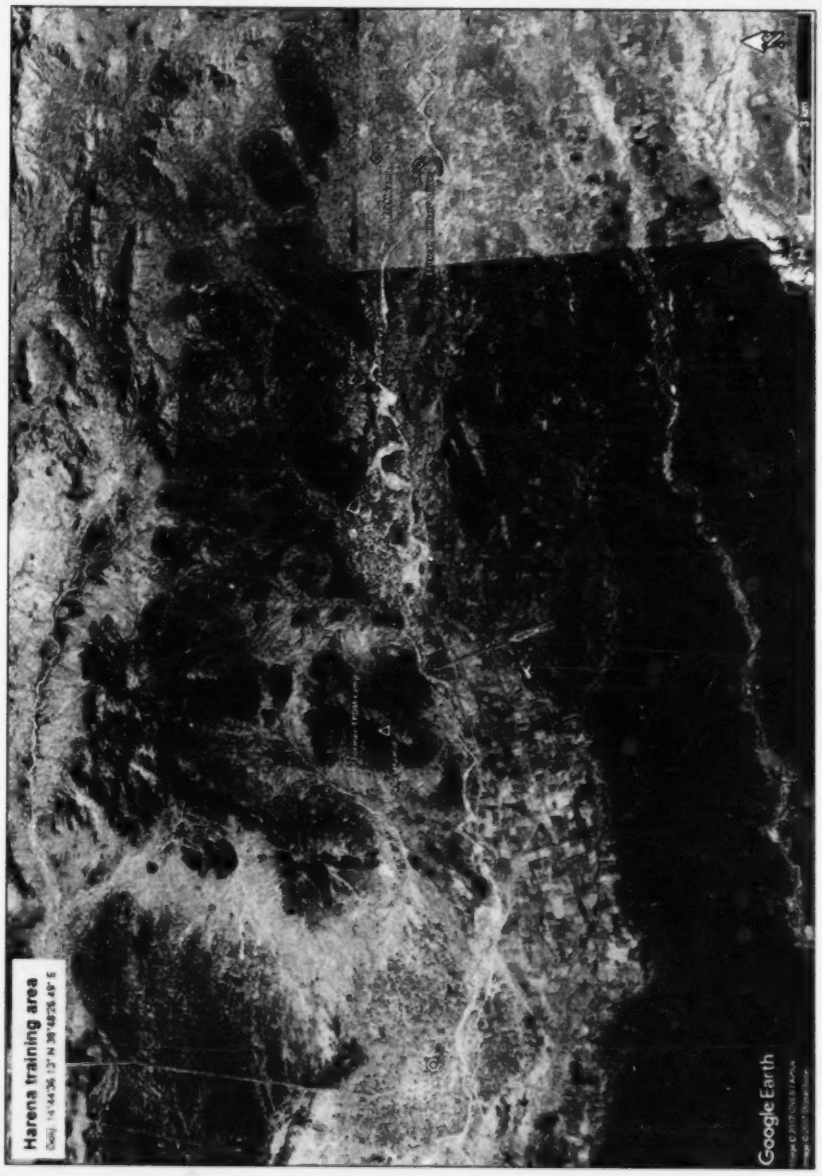


Figure 2: Map of northern Gash-Barka region training areas

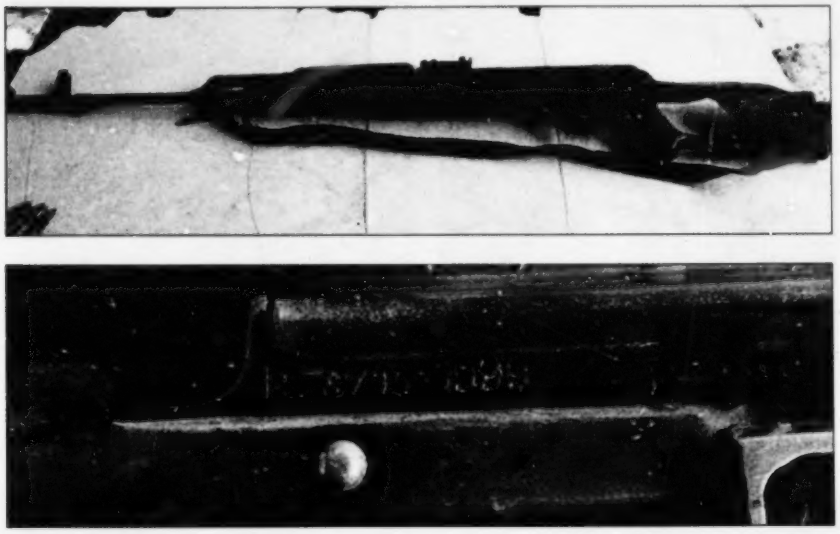
Figure 3: Map of Eritrea-Djibouti border region

Annex 9: Patriotic Ginbot Sebat (PG7)

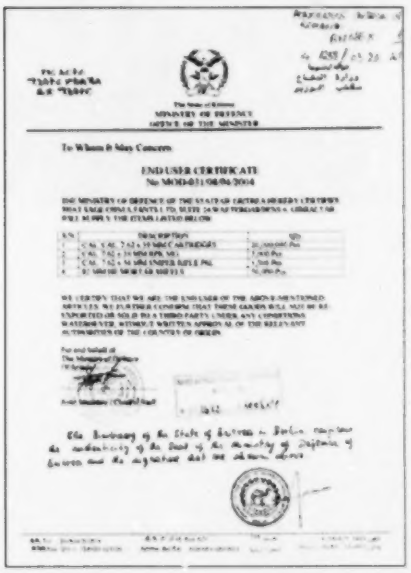
Figure 1: Still from video footage of PG7 fighters preparing to cross Ethiopian border — PSL 7.62 x 54mm sniper rifle with green/yellow/red strap.

Figure 2: Still from video footage of PG7 fighters preparing to cross Ethiopian border — Eritrean troops accompanying.

Figures 3 and 4: PSL 7.62 x 54mm sniper rifle manufactured in Romania, with green/yellow/red strap.



Figures 5 and 6: Export document for of PSL 7.62 x 54mm sniper rifle.

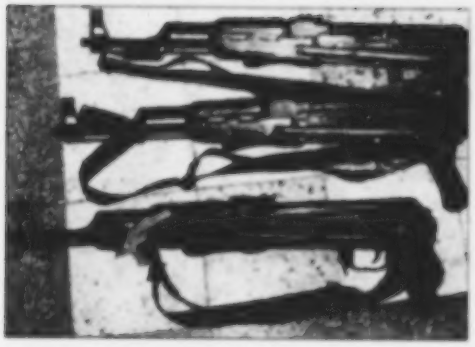


Figures 7 and 8: Type 69 40mm HEAT rocket-propelled grenade rounds captured from PG7 fighters bearing lot numbers 2-92-73 and 7-91-93.

Figures 9 and 10: Type 69 40mm HEAT rocket-propelled grenade rounds recovered from the ONLF in September 2010 bearing lot numbers 2-92-73 and 7-91-93.

Figure 11: Type 69 40mm HEAT rounds bearing lot number 2-92-73, documented in Jonglei state, South Sudan, in September 2012 (Photograph courtesy of Conflict Armament Research).

Figures 12 and 13: Type 56-1 Kalashnikov pattern rifles captured from PG7 fighters with their serial numbers filed off the receivers.



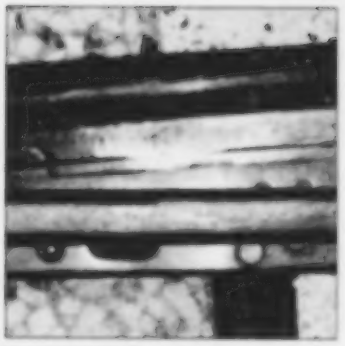


Figure 14 and 15: Type 56-1 Kalashnikov pattern rifles captured from South Sudan Democratic Army fighters with their serial numbers filed off the receivers.

Figure 16: Still image from PG7 training footage in Harena training area

Annex 10: Benishangul People's Liberation Movement (BPLM)

Figure 1: Image of Eritrean vehicle brought to Ethiopia by BPLM fighters.

Figures 2 and 3: Eritrean Land Transport Authority Non-Commercial Vehicle Title Certificate.

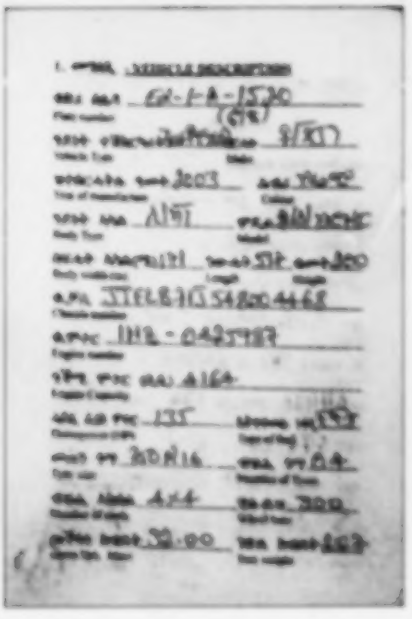
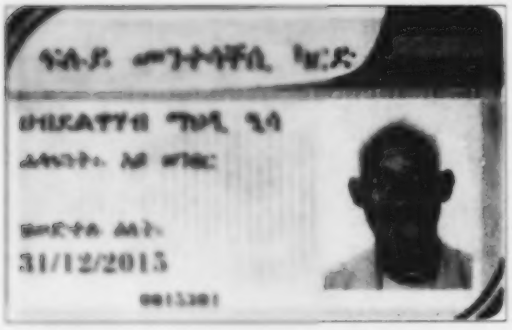


Figure 4 Images of BPLM fighters on their return to Ethiopia

Figures 5 and 6 Abdulwahab Mahadi Issa Eritrean identity card



Annex 11: Ras Doumeira

Figure 1: Satellite imagery of Ras Doumeira observer camp, 19 June 2017.

Figure 2: Satellite imagery of Ras Doumeira observer camp, 23 July 2017.

Figure 3: Satellite imagery of Ras Doumeira observer camp, 22 August 2017.

Figure 4: Satellite imagery of Ras Doumeira observer camp, 9 September 2017.

Annex 12: Revenue from the mining sector

Figure 1: Nevsun Resources Ltd.'s 2016 ESTMA report (by payee)

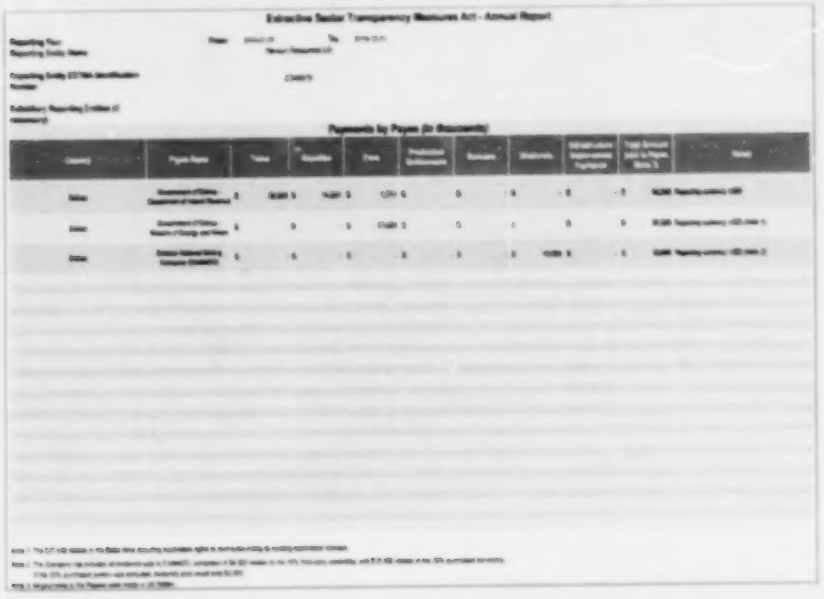
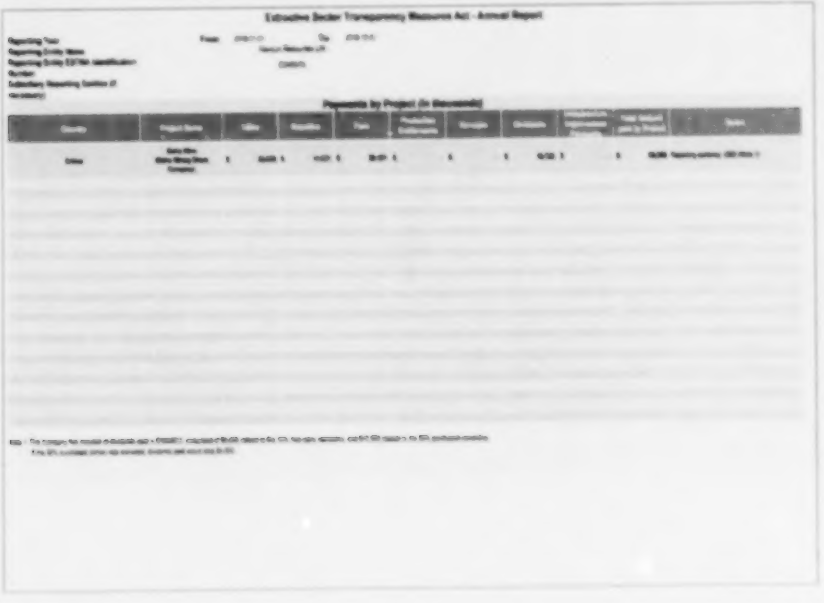


Figure 2: Nevsun Resources Ltd.'s 2016 ESTMA report (by project)



United Nations S/2017/926

Security Council

Distr.: General
6 November 2017

Original: English

Italy: draft resolution

The Security Council,

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling its resolution 2185 (2014) on United Nations Policing, as well as relevant resolutions such as resolutions 1265 (1999) and 1894 (2009) on the protection of civilians, 1325 (2000) and 2242 (2015) on women, peace and security, 2086 (2013) and 2378 (2017) on peacekeeping operations, 2151 (2014) on security sector reform, 2171 (2014) on conflict prevention, 2282 (2016) on post-conflict peacebuilding, and statements of its President such as the statement of 21 February 2014 (S/PRST/2014/5) on the rule of law, as well as the statement of 14 July 1997 (S/PRST/1997/38), and the reports of the Secretary-General A/66/615 and S/2016/952 on United Nations Policing,

Taking note of the Report of the Secretary-General on United Nations Policing of November 2016 and its vision for United Nations Police Components ready to effectively address the challenges of the twenty-first century,

Stressing the primary responsibility of States for the prevention and resolution of conflicts, as well as for the protection of civilians and the important contribution that United Nations Policing in peacekeeping and special political missions can provide throughout the conflict cycle, where and as mandated, including through the protection of civilians, capacity-building and development efforts of host-State police services, and *noting* the relevance of its contribution when considering the broader reform of the peace and security pillar,

Affirming that lasting peace is not achieved nor sustained by military and technical engagements alone, but through political solutions and strongly convinced that such political solutions should guide the design and deployment of United Nations peacekeeping operations,

Reaffirming its commitment to upholding the purposes and principles of the Charter of the United Nations, including its commitment to and respect for the principles of political independence, sovereign equality and territorial integrity of all States in conducting all peacekeeping activities and the need for States to comply with their obligations under international law,

Further reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and recognizing that the mandate of each peacekeeping mission is

Please recycle

specific to the need and situation of the country concerned, and that the Security Council expects full delivery of the mandates it authorizes,

Welcoming the role that UN Police Components can play in facilitating the transitions from peacekeeping to development and peacebuilding, and recognizing that improved performance of United Nations Policing can contribute to successful exit strategies of peacekeeping missions and will require continued transparent and accountable efforts to strengthen United Nations Police doctrine and its implementation and defining clearer standards for personnel, equipment, operations, performance, and assistance to host-State police services, as well as increased training and capacity-building to prepare police contributing countries and ensure predictable deployment,

Stressing that the successful implementation of the mandates of peacekeeping operations and special political missions requires close cooperation and use of integrated planning mechanisms between the different elements of these missions, including between police, military and civilian components, under the overall leadership of the Head of Mission,

Noting the important role United Nations Policing can play, where mandated, in strengthening the rule of law and security sector reform and *reaffirming* the lead role of national authorities in progressing the reform of police and other law enforcement agencies as part of wider rule of law and security sector reform efforts, including in dedicating national resources towards national police and other law enforcement institutions, and monitoring the impact of police reform, and *recognizing* that the political leadership and political will of national authorities are critical in this regard and success necessitates national ownership,

Highlighting the important role that United Nations Police Components can play in building the capacity of host-State policing and other law enforcement institutions, as mandated, in particular through building principles of community oriented policing and in addressing organized crime, particularly through support in the areas of border, immigration and maritime security and crime prevention, response and investigation, where mandated,

Having considered that transnational organized crime undermines stability and *further considering* that transnational organized crime can benefit international terrorism, which may require strengthening or rebuilding of criminal justice systems to address relevant threats,

Recalling the work conducted by the Security Council Working Group on Peacekeeping Operations, the Fourth and Fifth Committees of the General Assembly and the Special Committee on Peacekeeping Operations, which have provided guidance to the Secretariat on United Nations policing including on a standardized approach to United Nations Policing and compliance thereto, as well as support to the United Nations Secretariat to address capacity and capability gaps, where they exist, thereby improving the performance of United Nations Policing,

Noting the increasing scope and reliance on police abilities in United Nations operations and *welcoming* ongoing efforts to attain specialized capacities, capabilities and technologies for United Nations Police Components, *further noting* the Policy for Formed Police Units in United Nations Peacekeeping and *encouraging* Member States to contribute well-trained and appropriately vetted men and women police personnel with appropriate language skills for formed police units (FPUs) with the full complement of agreed contingent-owned equipment, specialized police teams (SPTs) and individual police officers, as well as civilian experts, to effectively implement mandated tasks and facilitate the conditions for transitions and exits,

Noting that host-State policing institutions should be the primary link between the government, individuals and communities on security issues, reiterating that professional, effective, accountable, and accessible law enforcement, corrections, and judicial institutions are necessary to lay the foundation for sustainable peace and national development, and further noting that failure to address operational and accountability deficits in police institutions can undermine the positive gains made, and thus risks a relapse into conflict,

Recognizing the indispensable role of women in United Nations peacekeeping and special political missions, including the critical role that women play in all peace and security efforts, including by providing diverse perspectives which can assist in building trust with local communities and *stressing* the need to increase their participation and leadership in decision-making in host-States with regard to policing and the rule of law,

Welcoming the efforts to incentivize greater numbers of women in military and police deployed and appointed to senior positions in United Nations peacekeeping operations, as both IPOs and as part of SPTs and FPUs, and efforts to review the obstacles preventing women's recruitment and professional advancement; taking note in this regard of the Secretary-General's System-wide Strategy on Gender Parity which tasks relevant United Nations entities, in consultation with Police-Contributing countries, to develop a separate, dedicated strategy on this matter,

Reaffirming its determination to pursue more prioritization when evaluating, mandating and reviewing United Nations peacekeeping operations, including through strengthening Triangular consultations with Troop and Police-Contributing Countries and the Secretariat, strengthening existing formal mechanisms, and underlining the shared responsibility for meaningful, inclusive, active and dynamic consultations, as well as enhancing its dialogue with host countries, with the aim of fully and successfully implementing peacekeeping mandates,

Noting with appreciation the improved cooperation between the United Nations, international, regional and subregional organizations and initiatives, including through training, sharing of experience, exchange of information, thematic expertise and operational readiness as appropriate, and the establishment by the United Nations Police Components of a serious and organized crime focal point network, and further noting that these efforts can strengthen host-State police and other law enforcement agencies' capacities and capabilities to counter transnational threats,

1. *Stresses* that the primacy of political solutions should be the hallmark of the approach of the United Nations to the resolution of conflict and *resolves* to include, on a case by case basis, policing as an integral part of the mandates and decision-making structures of United Nations peacekeeping operations and special political missions, taking into account the need for consistent integration of police expertise within the planning of such missions, and to give clear, credible, achievable, appropriately resourced mandates for policing-related activities, and *emphasizes* in this context the need to ensure a United Nations system-wide approach to the rule of law;

2. *Underscores* the critical importance of improving accountability, transparency, efficiency and effectiveness in the performance of United Nations peacekeeping operations and special political missions and calls on the Secretariat to continue efforts to strengthen doctrine and define clear standards for personnel, equipment, operations, performance, and assistance to host nation police forces for effective performance of United Nations Police in missions, as well as for preparing Police-Contributing Countries for deployment, and requests the United Nations' Secretariat to assist Member States' training activities by providing timely and

complete information regarding the training needs of Police-Contributing Countries and those with the capacity to deliver such training, to ensure coherence and identify where capability gaps remain, thereby enhancing triangular cooperation;

3. *Reaffirms* its ongoing efforts to review peacekeeping operations to ensure maximum effectiveness and efficiency on the ground, and to deepen these efforts in partnership with Police Contributing Countries, and requests the Secretary-General to ensure data streams related to the effectiveness of peacekeeping operations, including peacekeeping performance data, to include police, are centralized to improve analytics and evaluation of mission operations, based on clear and well identified benchmarks;

4. *Resolves* to continue to promote and support the finalization and operationalization of the Strategic Guidance Framework for International Police Peacekeeping, to conduct targeted recruitment based on identified field needs and develop a measurable accountability framework for the implementation of mandates, and requests the Secretary-General to consider undertaking the following to ensure the timely completion of country-specific mandates and improve performance:

(a) Strengthen the collaboration of United Nations Policing with the Peacekeeping Strategic Force Generation and Capability Planning Cell, so that police and military requirements are coordinated, force generation occurs in concert and performance data is centralized to improve performance based decision-making;

(b) Provide additional guidance for relevant officials, including for Special Representatives of the Secretary-General and Special Envoys, and assist relevant senior United Nations management to understand how to deliver mandated police-related tasks;

(c) Highlight in his regular reports to the Security Council concerning specific United Nations peacekeeping and special political missions mandated by the Security Council, updates on progress in terms of gender-responsive police reform and protection activities, where mandated, including efforts to make national police services more accessible and responsive to women, in order to improve Security Council oversight of police reform and protection of civilians activities in accordance with resolutions 2122 (2013) and 2242 (2015);

5. *Recognizes* the role of United Nations Policing in contributing, as appropriate, to the United Nations' efforts to prevent conflicts through, inter alia, as mandated, protection of civilians, and assisting host-States with relevant capacity-building and *calls* on the Secretary-General to make sure that planning of United Nations peacekeeping and special political missions with police mandates are based on a thorough analysis of the context, capacities and needs of host-States;

6. *Reaffirms* that States bear the primary responsibility for protection of civilians and *recognizes* the important role that United Nations Police Components can play, where and as mandated, in the protection of civilians, including in preventing and addressing sexual and gender based violence, and, where applicable, conflict-related sexual violence and violations and abuses against children in the context of conflict and post-conflict situations, including, where appropriate, supporting the efforts of host-authorities to build and reform policing and law enforcement institutions so they are able to sustainably and consistently protect civilians, and in this regard:

(a) *Urges* Police-Contributing Countries to ensure that all deployed IPOs, FPUs and SPTs have undergone comprehensive training, including specific training on protection of civilians, sexual and gender based violence, as well as child

protection, as a key part of their predeployment training, to successfully fulfil their mandates;

(b) *Requests* the Secretary-General to ensure that United Nations Police Components support protection of civilians activities as part of the whole of mission approach in missions with protection of civilians mandates;

(c) *Reiterates* that the protection of children in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict and build peace and of capacity-building efforts in support of host-State police, law enforcement agencies and, where appropriate, juvenile justice systems; underscoring in this regard the importance of specialized predeployment and in-mission training on mission-specific child protection and on appropriate comprehensive child-sensitive prevention and protection responses, as well as monitoring and reporting on violations and abuses committed against children, and stressing the importance of enhancing coordination between Police Components and Child Protection Advisers as well as Gender and Women Protection Advisers as outlined in all relevant United Nations Security Council resolutions;

7. *Requests* the Secretary-General to continue and strengthen efforts to enhance measures in United Nations peacekeeping and special political missions against all forms of sexual exploitation and abuse by United Nations personnel and on support to victims in cooperation with the Victims' Rights Advocate, *urges* all Police-Contributing Countries to ensure that all police personnel to be deployed are vetted for previous criminal acts of sexual exploitation and abuse and to deliver robust predeployment training to prevent sexual exploitation and abuse, and *recalls* the primary responsibility of Troop-Contributing Countries to investigate allegations of sexual exploitation and abuse by their personnel and of Troop- and Police-Contributing Countries to hold accountable, including through prosecution, where appropriate, their personnel for acts of sexual exploitation and abuse, taking into account due process;

8. *Reaffirms* the importance of national ownership and leadership in peacebuilding, whereby the responsibility for sustaining peace is broadly shared by the Government and all other national stakeholders, and *recognizes* that United Nations Police Components, including IPOs, FPOs and SPTs can contribute to building and sustaining peace by supporting host-State police and other law enforcement services, as mandated;

9. *Recalls in this regard* the importance of United Nations Policing-related support to non-United Nations security forces adhering to the Human Rights Due Diligence Policy;

10. *Recognizes* the importance of United Nations Policing by:

(a) Reaffirming its commitment to continue to convene the annual briefing of Heads of United Nations Police Components established in resolution 2185 (2014);

(b) Highlighting, where appropriate, United Nations Policing aspects in deliberations of the Security Council Working Group on Peacekeeping;

(c) Encouraging the inclusion of United Nations Policing issues in briefings of the Secretary-General's Special Representatives and Special Envoys and in the reports of the Secretary-General, where appropriate;

11. *Stresses* the importance of national ownership and commitment in policing and that, where appropriate, a thorough assessment of national capacity gaps in the area of police activities should inform United Nations Policing capacity-building activities and police development, including the composition of United

Nations Police Components, and during planning, recruitment, the provision of guidance, and training;

12. *Welcomes* the efforts of Member States and the Secretariat to strengthen the strategic generation of both female and male police personnel with the appropriate expertise and language skills, in order to convey information and provide technical assistance in the most accessible manner to the desired audience, including through participation in the United Nations Chiefs of Police Summit and engagement in the Peacekeeping Capabilities Readiness System for Rapid Deployment, and *urges* Police-Contributing Countries to contribute further:

(a) Well-trained, equipped and performing FPUs, including rapidly deployable FPUs;

(b) Highly qualified IPOs and civilian experts with specialized skill sets;

(c) SPTs with proper support;

(d) A substantial increase in numbers of female police across the different roles, with the aim of an overall doubling by 2020, and increasing representation in leadership positions, in line with UNSCR 2242 (2015) and the original United Nations Global Goal to reach 20 per cent female officers by 2014;

(e) Police units that have completed predeployment training, with the support of the Secretariat, as appropriate, within the areas of their respective responsibilities, so that relevant mechanisms are in place to evaluate Member States' predeployment readiness;

13. *Reiterates* the importance of gender analysis in all police activities and mission phases and the role of Police Gender Advisers and its request to the Secretary-General to enhance coordination between Police Components and Child Protection Advisers as well as Gender and Women Protection Advisers, *calls upon* the United Nations Secretariat to work closely with Member States and UN-Women to overcome systemic challenges regarding the eligibility of female police for United Nations missions such as entry requirements, including by instituting special measures, or supporting women police associations, and encourages Member States to provide updates annually on these efforts, and share good practices in this regard;

14. *Notes* the continued efforts of the Secretary-General to enhance performance in the peace and security pillar and encourages the Secretariat to assess issues concerning the functions, structure and capacity of the Police Division in consultation with Member States;

15. *Welcomes* the work of the Police Division Standing Police Capacity (SPC) in providing a rapid, coherent, effective and responsive start-up and assistance capability for the Police Components of United Nations peacekeeping and special political missions as well as support to other United Nations entities through the Global Focal Point for Police, Justice and Corrections arrangement, and *requests* the Secretary-General to ensure the work of the SPC is better integrated into efforts of United Nations peacekeeping operations to ensure coordination and information sharing and that the SPC is used to maximum effect;

16. *Requests* the Secretary-General to provide a report by the end of 2018, including on:

(a) Implications for the delivery of policing mandates stemming from any changes to the United Nations Secretariat's Peace and Security Architecture;

(b) Strengthening United Nations Policing's operational and policy coherence within the United Nations system;

(c) Improving United Nations capability, accountability and transparency on United Nations Policing;

(d) Planning for strategic police generation gaps and key skill sets;

(e) Ensuring coherence of relevant United Nations Policing initiatives, in order to improve mission transitions and timely exits;

(f) Strengthening partnerships between the United Nations and international, regional and subregional organizations in accordance with Chapter VIII of the United Nations Charter, in the areas of policing.

United Nations S/2017/927

Security Council

Distr.: General
7 November 2017

Original: English

France, Italy, Japan, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011), 2077 (2012) 2125 (2013), 2184 (2014), 2246 (2015), and 2316 (2016) as well as the Statement of its President (S/PRST/2010/16) of 25 August 2010 and (S/PRST/2012/24) of 19 November 2012,

Welcoming the report of the Secretary-General (S/2017/859), as requested by resolution 2316 (2016), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

Reaffirming its respect for the sovereignty, territorial integrity, political independence, and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

Noting that the joint counter-piracy efforts of States, regions, organizations, the maritime industry, the private sector, think tanks, and civil society have resulted in a steady decline in pirate attacks as well as hijackings since 2011, and *expressing* concern about the recent piracy incidents that occurred during 2017 and by the ongoing threat that resurgent piracy and armed robbery at sea poses to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other ships, including fishing vessels operating in conformity with international law, *commending* Chinese and Indian naval forces for thwarting an attack on the OS-35, Chinese operations soldiers for capturing three pirates, and Chinese and European Union Naval Forces (EU NAVFOR) for preventing an attack on MV Al Heera, and *further commending* countries that have deployed naval forces in the Gulf of Aden and the Somali Basin to dissuade piracy networks from carrying out acts of piracy,

Supporting the outcome of the London Somalia Conference held on 11 May 2017, and the commitment of the Federal Government and Federal Member States of Somalia to developing their maritime security capabilities,

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("The Convention"), sets

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out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea,

Recognizing the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks, and *reiterating* its concern over persons suspected of piracy having been released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

Welcoming the successful prosecution of piracy cases in Belgium, India, Mauritius, and the Seychelles during the past year, while *noting* with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against pirates off the coast of Somalia, which has led to pirates in many cases being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of The Convention concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for, or suspected of seizing, or exercising control over, a ship by force or threat thereof, or any other form of intimidation,

Underlining the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, noting the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 2 November 2017, from the Permanent Representative of the Permanent Mission of Somalia to the United Nations *expressing* the appreciation of Somali authorities to the Security Council for its assistance, expressing their willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, asking member states and international organizations to support the Federal Government of Somalia in its efforts to address illegal, unreported, and unregulated fishing in its Exclusive Economic Zone, and *requesting* that the provisions of resolution 2316 (2016) be renewed for an additional 12 months,

Welcoming the participation of the Federal Government of Somalia and regional partners in the 20th plenary session of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in Mauritius July 5–7, 2017, co-hosted by the Indian Ocean Commission under the Chairmanship of the Republic of the Seychelles,

Recognizing the work of the CGPCS and the Law Enforcement Task Force to facilitate the prosecution of suspected pirates, and the intentions of the Regional Capacity Building Working Group to identify regional priorities and coordination of capacity-building activities and regional responsibilities,

Welcoming the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Maritime Crime Programme, and being determined to continue efforts to ensure that pirates are held accountable,

Commending the efforts of the EUNAVFOR Operation ATALANTA, Combined Maritime Forces' Combined Task Force 151, the counter-piracy activities

of the African Union onshore in Somalia and the naval activities of the Southern Africa Development Community, and other States acting in a national capacity in cooperation with Somali authorities and each other to suppress piracy and to protect ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, the Islamic Republic of Iran, Japan, the Republic of Korea, and the Russian Federation, which have deployed naval counter-piracy missions in the region,

Noting the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and to allow charters that favour arrangements that make use of such measures, while urging States to regulate such activities in accordance with applicable international law,

Welcoming and encouraging the capacity-building efforts in the region made by the International Maritime Organization (IMO) funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under the EU Capacity Building Mission in Somalia (EUCAP Somalia) which assists Somalia in strengthening its maritime security capacity in order to enable it to enforce maritime law more effectively, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

Supporting the development of a coastguard at the federal level and coastguard police at the Federal Member State level, *noting* with appreciation the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and in relevant parts of the Indian Ocean that are still within the High Risk Area and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing PCASP on board ships in high-risk areas, and further welcoming the European Union's EUCAP Somalia, which is working to develop the maritime security capacities of Somalia,

Underlining the importance of continuing to enhance the collection, preservation, and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the ongoing work of the IMO, INTERPOL, and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and *noting* the importance of enabling seafarers to give evidence in criminal proceedings to prosecute acts of piracy,

Further recognizing that pirate networks continue to rely on kidnapping and hostage-taking to help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of commerce, and *welcoming* international efforts to coordinate the work of investigators and prosecutors, inter alia, through the Law Enforcement Task Force and collect and share information to disrupt the pirate enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and *commending* the establishment of the Regional Centre for Operational Coordination (RCOC) in Seychelles on 1 July 2017, which will operate alongside its sister centre, and appreciating the establishment of the Regional Maritime Information Fusion Centre (RMIFC) in Madagascar, including the establishment of the Piracy Prosecution Readiness Plan which, under the auspices of UNODC and in

partnership with EU NAVFOR, will further develop the region's capacity to conduct piracy prosecutions,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, strongly *condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, *expressing* serious concern at the inhumane conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling* for the immediate release of all remaining hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

Commending Kenya, Mauritius, Tanzania, and Seychelles, for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Maritime Crime Programme, the Trust Fund, and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and *emphasizing* the need for States and international organizations to further enhance international efforts in this regard,

Welcoming the readiness of the Federal Government of Somalia and Federal Member States to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia,

Welcoming the work of the Maritime Security Coordination Committee (MSCC), the central mechanism for developing capability and identifying and channelling support, as highlighted at the London Somalia Conference in May 2017, and *encouraging* the Somali national and regional administrations to take increasing responsibility for counter-piracy initiatives,

Expressing serious concern over reports of illegal, unreported and unregulated fishing (IUU) in Somalia's Exclusive Economic Zone (EEZ), and *noting* the complex relationship between IUU fishing and piracy, *recognizing* that IUU fishing accounts for millions of dollars in lost revenue for Somalia each year, and can contribute to destabilization among coastal communities,

Noting Somalia's accession to the FAO's Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, *recognizing* the projects supported by FAO and UNODC aimed at enhancing the Somalia's capacity to combat such activities, and *stressing* the need for States and international organizations to further intensify their support to the Federal Government of Somalia, at its request, in enhancing Somalia's capacity to combat such activities,

Recognizing the ongoing efforts of the Federal Government of Somalia towards the development of a legal regime for the distribution of fishing licences, *commending* in this regard the implementation of a component of the EU-funded Programme to Promote Regional Maritime Security (CCAP) with FAO aims to promote proper and transparent licensed and regulated fishing with regional states, and *encouraging* further efforts in this regard, with the support of the international community,

Recalling the reports of the Secretary General which illustrate the seriousness of piracy and armed robbery at sea off the coast of Somalia and provide useful guidance for the investigation and prosecution of pirates, including on specialized anti-piracy courts,

Commending the Hostage Support Partnership (HSP) for the release of 26 seafarers in 2016, but *remaining concerned* that eight Iranian seafarers from the FV Siraj remain as hostages inside Somalia in appalling conditions, and *welcoming* the work of International Seafarers Welfare and Assistance Network (ISWAN) and Maritime Piracy Humanitarian Response Programme (MPHRP) in the provision of post trauma intervention and financial support to victims of piracy and their families; as well as the CGPCS Piracy Survivors Family Fund (PSFF), which provides funds for the survivors of Somali piracy, and for their families, to provide a range of support during and after captivity and recognizing the need to continue supporting these initiatives and contributions to funds,

Recognizing the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy and highlight the best practices to eradicate this criminal phenomenon,

Noting efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, *noting* the operations of information-sharing centres in Yemen, Kenya, and Tanzania, *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels, and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development, and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further *emphasizing* that Somalia's long-term security rests with the effective development by Somali authorities of the Somali Coast Guard and Maritime Police Units, Somali National Army, and Somali Police Force,

Welcoming the Padang Communique and Maritime Cooperation Declaration adopted by the Indian Ocean Rim Association (IORA) at its 15th Council of Ministers meeting, which call upon members to support and strengthen cooperation to address maritime challenges including piracy and illegal trafficking of drugs,

Recognizing that the ongoing instability in Somalia and the acts of piracy and armed robbery at sea off its coast are inextricably linked, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia, as well as the activity of pirate groups in Somalia, are an important factor exacerbating the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery at sea off the coast of Somalia;

2. *While noting* improvements in Somalia, *recognizes* that piracy exacerbates instability in Somalia by introducing large amounts of illicit cash that fuels additional crime, corruption, and terrorism;

3. *Stresses* the need for a comprehensive response to prevent and suppress piracy and tackle its underlying causes by the international community;

4. *Underlines* the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, *welcomes* the draft coast guard law which the Somali authorities, with the support of the European Union Naval Force (EUNAVFOR) Operation Atalanta and EUCAP Somalia have submitted to the Council of Ministers for approval by Parliament and *urges* the Somali authorities, to continue their work to pass a comprehensive set of anti-piracy and maritime laws without further delay and establish security forces with clear roles and jurisdictions to enforce these laws and to continue to develop, with international support as appropriate, the capacity of Somali courts to investigate and prosecute persons responsible for acts of piracy and armed robbery, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks;

5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize, or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;

6. *Calls upon* the Somali authorities to interdict, and upon interdiction to have mechanisms in place to safely return effects seized by pirates, investigate and prosecute pirates and to patrol the waters off the coast of Somalia to prevent and suppress acts of piracy and armed robbery at sea;

7. *Calls upon* the Somali authorities to make all efforts to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea, and calls upon Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and, stresses that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Calls for* the immediate and unconditional release of all seafarers held hostage by Somali pirates, and further calls upon the Somali authorities and all relevant stakeholders to redouble their efforts to secure their safe and immediate release;

10. *Welcomes* the initiative of the Seychelles authorities to establish a court for piracy and maritime crime and further *welcomes* the successful prosecution of piracy cases by this body;

11. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps

under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 43 of resolution 2093 (2013), and *calls* upon all States to cooperate fully with the Somalia and Eritrea Monitoring Group, including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

12. *Renews* its call upon States and regional organizations that are able to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

13. *Highlights* the importance of coordination among States and international organizations in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, commends the work of the CGPCS to facilitate such coordination in cooperation with the IMO, flag States, and Somali authorities, and urges continued support of these efforts;

14. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and *decides* that, for a further period of 12 months from the date of this resolution to renew the authorizations as set out in paragraph 14 of resolution 2316 (2016) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

15. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations, or responsibilities of Member States under international law, including any rights or obligations under The Convention, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed in response to the 2 November 2017 letter conveying the request of Somali authorities;

16. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States, international, regional, and subregional organizations undertaking measures in accordance with paragraph 14 above;

17. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 14 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

18. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and

prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, consistent with applicable international law including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims, witnesses, and persons detained as a result of operations conducted under this resolution;

19. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of those convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law, and decides to keep these matters under review, including, as appropriate, the establishment of specialized anti-piracy courts in Somalia with substantial international participation and/or support as set forth in resolution 2015 (2011), and encourages the CGPCS to continue its discussions in this regard;

20. *Welcomes*, in this context, the UNODC Maritime Crime Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

21. *Encourages* the Federal Government of Somalia to accede to the United Nations Convention Against Transnational Organized Crime, as part of its efforts to target money laundering and financial support structures on which piracy networks survive;

22. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

23. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

24. *Urges* all States to ensure that counter-piracy activities, particularly land-based activities, take into consideration the need to protect women and children from exploitation, including sexual exploitation;

25. *Urges* all States to share information with INTERPOL for use in the global piracy database, through appropriate channels;

26. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and urges both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

27. *Urges* States parties to The Convention and the SUA Convention to implement fully their relevant obligations under these conventions and customary international law and to cooperate with the UNODC, IMO, and other States and international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

28. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; and urges States, in collaboration with the shipping and insurance industries and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and

advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation as appropriate at the first suitable port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

29. *Encourages* flag States and port States to further consider the development of safety and security measures on board vessels, including, where applicable, developing regulations for the use of PCASP on board ships, aimed at preventing and suppressing piracy off the coast of Somalia, through a consultative process, including through the IMO and ISO;

30. *Invites* the IMO to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships, in coordination, in particular, with the UNODC, the World Food Program (WFP), the shipping industry, and all other parties concerned, and recognizes the IMO's role concerning privately contracted armed security personnel on board ships in high-risk areas;

31. *Notes* the importance of securing the safe delivery of WFP assistance by sea, and welcomes the ongoing work by the WFP, EUNAVFOR Operation Atalanta, and flag States with regard to Vessel Protection Detachments on WFP vessels;

32. *Requests* States and regional organizations cooperating with Somali authorities to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 14 above and further requests all States contributing through the CGPCS to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

33. *Requests* the Secretary-General to report to the Security Council within eleven months of the adoption of this resolution on the implementation of this resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

34. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 14 above for additional periods upon the request of Somali authority;

35. *Decides* to remain seized of the matter.

United Nations S/2017/928

Security Council

Distr.: General
7 November 2017

Original: English

Italy: draft resolution

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the Former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008, 1869 (2009) of 25 March 2009, 1895 (2009) of 18 November 2009, 1948 (2010) of 18 November 2010, 2019 (2011) of 16 November 2011, 2074 (2012) of 14 November 2012, 2123 (2013) of 12 November 2013, 2183 (2014) of 11 November 2014, 2247 (2015) of 10 November 2015, and 2315 (2016) of 8 November 2016,

Reaffirming its commitment to the political settlement of the conflicts in the Former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement, S/1995/999, Annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Noting the reports of the High Representative, including his latest report of 24 October 2017,

Noting positively that the initial implementation of the Reform Agenda, adopted by Bosnia and Herzegovina in July 2015, has provided the first steps of structural adjustment to the economy of the country,

Encouraging the authorities of Bosnia and Herzegovina, with the support of the international community, to accelerate their efforts to address the disposal of excess ammunition,

Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex 1-A of the Peace Agreement,

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Welcoming the continued presence of EUFOR ALTHEA, successfully focusing on capacity-building and training while also retaining the capability to contribute to the Bosnia and Herzegovina authorities' deterrence capacity if the situation so requires,

Reiterating its calls on the competent authorities in Bosnia and Herzegovina to take necessary steps to complete the 5+2 agenda, which remains necessary for closure of the Office of the High Representative, as confirmed by the PIC Steering Board communiqués,

Reaffirming provisions concerning the High Representative as set out in its previous resolutions, and further reaffirming Article V of Annex 10 of the Peace Agreement regarding the High Representative's final authority in theatre in the interpretation of the civilian implementation of the Agreement,

Taking note of Bosnia and Herzegovina's leadership's commitment towards a European perspective, on the basis of the Peace Agreement, including through the submission of Bosnia and Herzegovina's EU membership application in February 2016 and through the work done to answer the EU Commission's Opinion questionnaire through the coordination mechanism on EU matters,

Reiterating its calls to all Bosnia and Herzegovina's political leaders to advance reconciliation and mutual understanding and to refrain from polarizing policies, actions and rhetoric,

Noting that the pace of implementation of the Reform Agenda has slowed down over the last months and *underscoring* the urgency to step up the implementation of comprehensive reforms, in an inclusive manner, to the benefit of all citizens,

Emphasizing the need for Bosnia and Herzegovina to step up efforts regarding the functioning and independence of the judiciary, the fight against corruption and organized crime and the fight against terrorism and prevention of radicalization,

Underscoring the urgency to address outstanding OSCE-ODIHR recommendations to improve the electoral framework and related rulings of the Constitutional Court of Bosnia and Herzegovina and the European Court of Human Rights and *emphasizing* electoral reforms should be approached in a spirit of consensus and dialogue and should move the country towards modern democratic standards,

Encouraging the parties to implement Bosnia and Herzegovina's National Action Plan on Women Peace and Security in an inclusive manner and *looking forward* to its continuation,

Taking note of the EU's planned strategic review in autumn 2017,

Recognizing that the security environment has remained calm and stable, and noting that the Bosnia and Herzegovina authorities have so far proven capable to deal with threats to the safe and secure environment,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with all the authorities in Bosnia and Herzegovina themselves and notes the continued willingness of the international community and major donors to support them in implementing the Peace Agreement, and calls upon all the authorities in Bosnia and Herzegovina to fully

cooperate with the International Criminal Tribunal for the Former Yugoslavia, as well as with the International Residual Mechanism for Criminal Tribunals, in order to complete its work in view of the forthcoming closure of the International Criminal Tribunal for the Former Yugoslavia;

2. *Welcomes* the EU's readiness to maintain an EU military operation (EUFOR ALTHEA) in Bosnia and Herzegovina from November 2017;

3. *Authorizes* the Member States acting through or in cooperation with the EU to establish for a further period of twelve months, starting from the date of the adoption of this resolution, a multinational stabilization force (EUFOR ALTHEA) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR ALTHEA will have the main peace stabilization role under the military aspects of the Peace Agreement;

4. *Decides* to renew the authorization provided by paragraph 11 of its resolution 2183 (2014) for a further period of twelve months starting from the date of adoption of this resolution;

5. *Authorizes* the Member States acting under paragraph 3 and 4 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with that annex and shall be equally subject to such enforcement action by EUFOR ALTHEA and the NATO presence as may be necessary to ensure implementation of those annexes and the protection of EUFOR ALTHEA and the NATO presence;

6. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR ALTHEA or the NATO Headquarters, in defence of the EUFOR ALTHEA or NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR ALTHEA and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

7. *Authorizes* the Member States acting under paragraph 3 and 4 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

8. *Urges* the parties to step up the implementation of comprehensive reforms, in an inclusive manner, to the benefit of all citizens and in line with the European perspective the country is committed to, and, in this regard, *further calls* on them to refrain from any polarizing policy, action and rhetoric;

9. *Urges* the parties, in accordance with the Peace Agreement, to abide to their commitment to cooperate fully with all institutions involved in the implementation of this peace settlement, as described in the Peace Agreement, including Annex 4;

10. *Reaffirms* that under the Peace Agreement, Bosnia and Herzegovina consists of two entities, which exist legally by virtue of the Bosnia and Herzegovina Constitution, and further reaffirms that any change to the Constitution must be made in accordance with the amendment procedure prescribed therein;

11. *Decides* to remain seized of the matter.

United Nations S/2017/929

Security Council

Distr.: General
7 November 2017

Original: English

Letter dated 3 November 2017 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

I have the honour to present the Security Council with an update on the current situation with regard to the border dispute between Eritrea and Djibouti and the most recent developments.

It has been almost 10 years since Eritrea breached international law, illegally moved into our territory and occupied Ras Doumera and Doumera Island. It has also been almost 10 years since Eritrea took Djiboutian prisoners of war, refused to provide a list of names and identification numbers of all the prisoners and other missing persons in its custody, or otherwise account for the Djiboutians that it has in its custody and held incommunicado and in the most inhumane and degrading conditions.

It has been 10 years since Eritrea started recruiting, equipping and arming groups to destabilize the region and incite violence and civil strife in Djibouti.

We have consistently demonstrated a persistent and keen interest in the peaceful resolution of this crisis. We have left no stone unturned in our quest for the resolution of this crisis.

Against this backdrop, I wish to provide an update on the current situation and the most recent developments:

Qatar-led mediation efforts

The mediation broke down as soon as it began because Eritrea refused to appoint its member to the mediating body. Djibouti submitted a legal memorandum and a comprehensive statement of pertinent facts and legal principles applicable to this matter and other matters that form part of the dispute and promptly provided the list of prisoners of war in its custody. Eritrea has never displayed any serious commitment to honour its international obligations. Furthermore, in June 2017, the State of Qatar decided to withdraw its military observers along the international border and formally notified Djibouti of its decision to terminate its mediation role (see S/2017/506).

Therefore, we wish to state that there is no ambiguity whatsoever about the status of the Qatar-led mediation efforts.

Border issue

Following the end of Qatar's mediation efforts, and after the departure of Qatar's personnel from the international border, Eritrea moved its military personnel

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to Ras Doumera and Doumera Island, thus contributing to heightened tensions and insecurity and threatening a new outbreak of violence. Alarmed at the possibility of resumption of hostilities, the African Union decided to deploy a fact-finding mission to both Djibouti and Eritrea.

Djibouti has cooperated and facilitated the work of the African Union mission in its endeavour to accomplish its mandate. Eritrea, characteristically, has yet to cooperate with the African Union fact-finding mission.

Four months have elapsed since the withdrawal of Qatar's observers, and Eritrea continues to illegally occupy Djibouti's sovereign territory. The Security Council must send a clear political signal to Eritrea that the grace period cannot be open-ended. In retrospect, it is safe to state that Eritrea has dishonestly claimed to be fully committed to the Qatari mediation when, in fact, it has displayed an intolerable pattern of behaviour characterized by procrastination, obstruction and obfuscation. Eritrea has, defiantly and consistently, shown unwillingness to comply with any of the relevant provisions of the resolutions of the Council on the matter.

Now that the unresolved border dispute is no longer subject to third party mediation, Djibouti is of the view that the Security Council must urge Eritrea and Djibouti to accept, as a matter of urgency and to avoid further escalation of violence, the peaceful settlement of the border dispute in conformity with Article 33 of the Charter of the United Nations by submitting the dispute for final and binding determination under the International Court of Justice or by an international arbitral tribunal established in conformity with the applicable rules of the Permanent Court of Arbitration. The Secretary-General and the Chairperson of the African Union could convene an urgent meeting with the parties to facilitate an agreement on recourse to such procedures.

Prisoners of war

Thirteen remaining prisoners of war are unaccounted for and are in Eritrean custody. Eritrea's self-serving claims to have released all of the Djiboutian prisoners of war under its custody have no credibility whatsoever. Even after two Djiboutian prisoners of war escaped in 2011, Eritrea refused to acknowledge that it had ever held them. Indeed, for eight years, Eritrea denied the existence of the four prisoners of war that it released. The African Union, in its statement issued in March 2016, acknowledged the March 2016 release of Djiboutian prisoners of war, but nonetheless was compelled to call upon Eritrea to "clarify the fate of any remaining prisoners and to release them". In contrast, the Government of Djibouti has authorized the Office of the United Nations High Commissioner for Refugees to review all the individual histories of Eritrean prisoners of war held in Djibouti since the clashes in 2008 and to make recommendations with respect to their status and need for protection.

In conclusion, the cost of inaction by the Security Council will be high. Let me recall the words of President Ismaël Omar Guelleh stated before the Council in October 2008: "Continued inaction in whatever form will not only encourage but reward Eritrea's attitude. That would leave my country with but one option: the option of war."

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Mohamed Siad **Doualeh**